THE

WAR OF THE REBELLION:

A COMPILATION OF THE

OFFICIAL RECORDS

OF THE

UNION AND CONFEDERATE ARMIES.

PUBLISHED UNDER THE DIRECTION OF

The Hon. RUSSELL A. ALGER, Secretary of War,

BY

BRIG. GEN. FRED C. AINSWORTH,

CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,

AND

MR. JOSEPH W. KIRKLEY.

SERIES II—VOLUME VIII.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1899.

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Ser. 2
v. 8

PREFACE.

The work of preparing the records of the war for public use was begun, under the resolution of Congress of May 19, 1864, by Col. E. D. Townsend, assistant adjutant-general, U. S. Army (then in charge of the Adjutant-General's Office, and subsequently the Adjutant-General), who caused copies to be made of reports of battles on file in his office and steps to be taken to collect missing records.

Under the provisions of joint resolution of July 27, 1866, Hon. Peter H. Watson was appointed to supervise the preparation of the records and to formulate a plan for their publication, but he performed no service under this appointment, which expired July 27, 1868, by limitation. This resolution having also repealed the former one, the project was suspended for the time being.

The first decisive step taken was the act of June 23, 1874, providing the necessary means "to enable the Secretary of War to begin the publication of the Official Records of the War of the Rebellion, both of the Union and Confederate Armies," and directing him "to have copied for the Public Printer all reports, letters, telegrams, and general orders, not heretofore copied or printed, and properly arranged in chronological order." Appropriations have been made from time to time for continuing such preparation. Under this act the preliminary work was resumed by General Townsend.

Subsequently, under meager appropriations, it was prosecuted in a somewhat desultory manner by various subordinates of the War Department until December 14, 1877, when the Secretary of War, perceiving that the undertaking needed the undivided attention of a single head, detailed Capt. Robert N. Scott, Third U. S. Artillery (subsequently major and lieutenant-colonel same regiment), to take charge of the office.

The act of June 23, 1874, enlarged upon the first scheme of publication. On this more comprehensive basis it was determined that the volumes should include not only the battle reports, correspondence, etc., in possession of the War Department, but also "all official documents that can be obtained by the compiler, and that appear to be of any historical value." Colonel Scott systematized the work, and, upon his recommendation, the Secretary of War approved the following order of publication:

The first series will embrace the formal reports, both Union and Confederate, of the first seizures of United States property in the Southern States, and of all military operations in the field, with the correspondence, orders, and returns relating specially thereto, and, as proposed, is to be accompanied by an Atlas.

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In this series the reports will be arranged according to the campaigns and several theaters of operations (in the chronological order of events), and the Union reports of any event will, as a rule, be immediately followed by the Confederate accounts. The correspondence, etc., not embraced in the "reports" proper will follow (first Union and next Confederate) in chronological order.

The second series will contain the correspondence, orders, reports, and returns, Union and Confederate, relating to prisoners of war, and (so far as the military authorities were concerned) to state or political prisoners.

The third series will contain the correspondence, orders, reports, and returns of the Union authorities (embracing their correspondence with the Confederate officials) not relating specially to the subjects of the first and second series. It will set forth the annual and special reports of the Secretary of War, of the General-in-Chief, and of the chiefs of the several staff corps and departments; the calls for troops, and the correspondence between the National and the several State authorities.

The fourth series will exhibit the correspondence, orders, reports, and returns of the Confederate authorities, similar to that indicated for the Union officials, as of the third series, but excluding the correspondence between the Union and Confederate authorities given in that series.

The first volume of the records was issued in the early fall of 1880. The act approved June 16, 1880, provided "for the printing and binding, under direction of the Secretary of War, of 10,000 copies of a compilation of the Official Records (Union and Confederate) of the War of the Rebellion, so far as the same may be ready for publication, during the fiscal year;" and that "of said number 7,000 copies shall be for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 1,000 copies for the use of the Executive Departments." Under this act Colonel Scott proceeded to publish the first five volumes of the records.*

*All subsequent volumes have been distributed under the act approved August 7, 1882, which provides that:

"The volumes of the Official Records of the War of the Rebellion shall be distributed as follows: One thousand copies to the Executive Departments, as now provided by law. One thousand copies for distribution by the Secretary of War among officers of the Army and contributors to the work. Eight thousand three hundred copies shall be sent by the Secretary of War to such libraries, organizations, and individuals as may be designated by the Senators, Representatives, and Delegates of the Forty-seventh Congress. Each Senator shall designate not exceeding twenty-six, and each Representative and Delegate not exceeding twenty-one, of such addresses, and the volumes shall be sent thereto from time to time as they are published, until the publication is completed. Senators, Representatives, and Delegates shall inform the Secretary of War in each case how many volumes of those heretofore published they have forwarded to such addresses. The remaining copies of the eleven thousand to be published, and all sets that may not be ordered to be distributed as provided herein, shall be sold by the Secretary of War for cost of publication with ten per cent. added thereto, and the proceeds of such sale shall be covered into the Treasury. If two or more sets of said volumes are ordered to the same address, the Secretary of War shall inform the Senators, Representatives, or Delegates who have designated the same, who thereupon may designate other libraries, organizations, or individuals. The Secretary of War shall report to the first session of the Forty-eighth Congress what volumes of the series heretofore published have not been furnished to such libraries, organizations, and individuals. He shall also inform distributees at whose instance the volumes are sent."

Colonel Scott died March 5, 1887. At his death some twenty-six books only had been issued, but he had compiled a large amount of matter for forthcoming volumes; consequently his name as compiler was retained in all the books up to and including Vol. XXXVI, although his successors had added largely to his compilations from new material found after his demise.

The Secretary of War, May 7, 1887, assigned Lieut. Col. H. M. Lazelle, Twenty-third U. S. Infantry, to duty as the successor of Colonel Scott. He had continued in charge about two years, when, in the act approved March 2, 1889, it was provided—

> That hereafter the preparation and publication of said records shall be conducted, under the Secretary of War, by a board of three persons, one of whom shall be an officer of the Army, and two civilian experts, to be appointed by the Secretary of War, the compensation of said civilian experts to be fixed by the Secretary of War.

The Secretary of War appointed Maj. George B. Davis, judge-advocate, U. S. Army, as the military member, and Leslie J. Perry, of Kansas, and Joseph W. Kirkley, of Maryland, as the civilian expert members of said board. The board assumed direction of the publication at the commencement of the fiscal year 1889, its first work beginning with Serial No. 36 of Vol. XXIV.

July 1, 1895, by direction of the Secretary of War, Maj. George W. Davis, Eleventh U. S. Infantry (subsequently lieutenant-colonel Fourteenth U. S. Infantry), relieved Maj. George B. Davis as the military member and president of the Board of Publication. Subsequently Col. Fred C. Ainsworth, Chief of the Record and Pension Office, War Department, was appointed the military member and president of the board, relieving Lieut. Col. George W. Davis June 1, 1898.

December 1, 1898, under the provision of the sundry civil act of July 1, 1898, relative to the War Records Office, the Board of Publication was dissolved, whereupon, by direction of the Secretary of War, the continuance of the work, beginning with Vol. VI, Series II, devolved on Colonel (now Brigadier-General) Ainsworth.

By operation of law (contained in "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900," approved February 24, 1899), the War Records Office was merged into the Record and Pension Office, July 1, 1899, and since that date the work of publication has been conducted under the supervision of the chief of that office.

Each volume includes a copious index, and for the further convenience of investigators there will be, in addition, a separate general index to the entire set.

Nothing is printed in these volumes except duly authenticated contemporaneous records of the war. The scope of the compiler's work is to decide upon and arrange the matter to be published; to correct and verify the orthography of the papers used, and, wherever deemed necessary, to add a foot-note of explanation.

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UNION AND CONFEDERATE ARMIES.

ADDITIONS AND CORRECTIONS

TO

SERIES II—VOLUME VIII.

(To be inserted in the volume. For explanation see General Index volume, Serial No. 130, page XXVIII.)

PUBLISHED UNDER THE DIRECTION OF

The Hon. ELIHU ROOT, Secretary of War,

BY

BRIG. GEN. FRED C. AINSWORTH,

CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,

AND

MR. JOSEPH W. KIRKLEY.

Mr. JOHN S. MOODEY, Indexer.

WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1902.

TEXT.

Page 277. Gillespie et al. to Johnston, date, for *February 20* read *February 24.*

Page 552. For *John G. Prentice*, signature, read *John A. Prentice.*

Page 567. Fifteenth line, bottom, for *Lieut. Col. C. N. Digges* read *Lieut. C. N. Digges.*

INDEX.

Insert all words and figures in *italics* and strike out all in [brackets].

Adjutant-General's Office, U. S. A.
  Correspondence:
    Inness [Innes], W.
Barrett, *James* [Thomas G.].
Black, *John* Charles.
Bridges, Robert *T.* [Y.].
Bullock, *R. B.* [Mr.].
Cameron, John W.
  Correspondence:
    Grainger, *I.* [J.] B.
Davis, M. C., 455; Davis, Lieutenant, [455].
Douglas, *D. C. or* D. G.
Duncan, James W., [782].
Fitch, George W.
  Correspondence, W. *Inness* [Innes].
Fry, *David* [Colonel].
Giddings, Joshua *R.*
Gillett [Gillette], P. H.
Grainger, *Isaac* [J.] B.
Hare, *J. I. Clark* [J. J. Clarke].
Hoffman, William.
  Correspondence:
    Prentice, J. *A.* [G.].
Hottel [Hottle], J. M.
Ida, *Steamer* [Schooner].
Inness [Innes], William.
Jones, Joseph.
  Observations on diseases of prisoners, *588–632* [585–632].
Judge-Advocate-General's Office, U. S. A.
  Opinions, reviews, etc., in cases of:
    Barrett, *J.* [Captain].
Kearny, J. W. [Kerney, J. M.].
Llewellyn, D. H. [Lewellyn, David H.].
Military Commissions.
  Gee, J. H., 956–960.
Mills, *Thomas S.* [Major].
Monroe, *W. W.* [William M.].
Mosely, H. C., 783.
Mosely, *Jourdan* [J.] C., [783].
Pickens [Pickett], Francis W., Mrs.
Porterfield, *John* [Mr.].
Prentice, John A.
  Correspondence:
    Hoffman, W., 542, 552.
[Prentice, John G.
  Correspondence, W. Hoffman, 542, 552.]
St. Vincent, Earl [Earl St. Vincent].
Sample, John *C.*
Tracy, Prescott [Prescot, Tracy].
Tucker, *Joseph W.* [Judge].
Underwood, John *C.*
Walker, Thomas *D.*
Wilson, Mark G., *500* [Wilson, Lieutenant (U.), 500].
Winder, John H.
  Correspondence:
    Walker, T. *D.*

CONTENTS.

Page.
Correspondence, Orders, etc., from January 1, 1865, to the end..... 1–1004

1865.

	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Jan	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30	31				
Feb				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28				
March				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30	31	
April							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30						
May		1	2	3	4	5	6
	7	8	9	10	11	12	13
	14	15	16	17	18	19	20
	21	22	23	24	25	26	27
	28	29	30	31			
June					1	2	3
	4	5	6	7	8	9	10
	11	12	13	14	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29	30	
July							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30	31					
August			1	2	3	4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	21	22	23	24	25	26
	27	28	29	30	31		
Sept						1	2
	3	4	5	6	7	8	9
	10	11	12	13	14	15	16
	17	18	19	20	21	22	23
	24	25	26	27	28	29	30
October	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
	15	16	17	18	19	20	21
	22	23	24	25	26	27	28
	29	30	31				
Nov				1	2	3	4
	5	6	7	8	9	10	11
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	27	28	29	30		
Dec						1	2
	3	4	5	6	7	8	9
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	24	25	26	27	28	29	30
	31						

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	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Jan		1	2	3	4	5	6
	7	8	9	10	11	12	13
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	4	5	6	7	8	9	10
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April	1	2	3	4	5	6	7
	8	9	10	11	12	13	14
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	28	29	30	31			
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	9	10	11	12	13	14	15
	16	17	18	19	20	21	22
	23	24	25	26	27	28	29
	30	31					

SERIES II.—VOL. VIII.

CORRESPONDENCE, ORDERS, ETC., RELATING TO PRISONERS OF WAR AND STATE FROM JANUARY 1, 1865, TO THE END.

UNION AND CONFEDERATE CORRESPONDENCE, ETC.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
January 1, 1865.

Consolidated statement of prisoners of war from November 1, 1863, to January 1, 1865.

	Major-Generals.	Brigadier-Generals.	Colonels.	Lieutenant-Colonels.	Majors.	Captains.	Lieutenants.	Non-commissioned officers.	Musicians and privates.	Aggregate of prisoners of war.	Equivalent to privates.	Surgeons.	Chaplains.	Citizens.	Total aggregate of prisoners of war and non-combatants.
Number on hand November 1, 1863.	1	7	61	51	74	744	1,685	3,939	22,535	29,097	43,814	117	8	1,417	30,639
Number captured from November 1, 1863, to January 1, 1865.	5	9	33	64	90	684	2,305	6,517	56,444	66,151	85,037	156	18	2,760	69,085
Total on hand and captured.	6	16	94	115	164	1,428	3,990	10,456	78,979	95,248	128,851	273	26	4,177	99,724
Total died, released, exchanged, &c., from November 1, 1863, to January 1, 1865.	2	6	41	42	59	309	717	2,965	26,706	30,847	39,065	156	18	2,760	33,781
Total on hand January 1, 1865.	4	10	53	73	105	1,119	*3,283	7,491	†52,263	64,401	‡89,786	117	8	1,417	65,943

U. S. CHRISTIAN COMMISSION,
CENTRAL OFFICE, 11 BANK STREET,
Philadelphia, January —, 1865.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

The U. S. Christian Commission have appointed and commissioned ——— ——— a delegate to proceed to Richmond, Va., and to such other places in the South as may be accessible to him, to relieve the wants of the Union prisoners now confined in the Southern military prisons by distributing among them food, clothing, medicines, and religious publications.

---

* Should be 3,273.

† Should be 52,273.

‡ Using the correct figures, the "Equivalent to privates" is as printed. Using the erroneous figures, the "Equivalent to privates" is 89,816. These figures were used in "Number on hand," &c., in the next statement submitted by the Commissary-General of Prisoners, October 24, 1865. See *post*.

He is strictly enjoined to abstain from reporting anything not allowed by the authorities of the places he may visit, and to do no act that shall bring discredit on the cause in which he is engaged.

All possible facilities and all due courtesies are asked for him in the discharge of the duties assigned him.

GEO. H. STUART,
Chairman U. S. Christian Commission.

Attest.

W. E. BOARDMAN,
Secretary.

WASHINGTON, *January 1, 1865—10.30 a. m.*

Major-General CANBY, *New Orleans:*

Mr. Ould reports to General Grant that the cotton was ready on board the lighter at Mobile on the 23d of December waiting for our transports; that our authorities had been so notified, but no answer had been returned. General Grant wishes that matter to be inquired into, and that there should be no neglect on our part to receive and transmit the cotton.

H. W. HALLECK,
Major-General and Chief of Staff.

HEADQUARTERS CAMP MORTON,
Indianapolis, Ind., January 1, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending December 31, 1864:

Conduct—good. Cleanliness—good state. Clothing—good. Bedding—good. State of quarters—kept well policed. State of messhouses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being according to orders. Water—sufficient. Sinks—sufficient. Police of grounds—good. Drainage—complete. Police of hospital—thorough. Attendance of sick—good. Hospital diet—first class. General health of prisoners—good. Vigilance of guard—thorough.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieut. Co. D, 5th Regt. Vet. Reserve Corps, and Insp. Officer.

[Indorsement.]

Capt. W. T. HARTZ,
Asst. Adjt. Gen., Office Commissary-General of Prisoners:

CAPTAIN: I have the honor to state that during the past week the weather has been more favorable and the barracks and camp have been thoroughly policed.

Respectfully referred to the Commissary-General of Prisoners.

A. A. STEVENS,
Col. Fifth Regt. Vet. Reserve Corps, Comdg. Camp Morton, Ind.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 1, 1865.

Lieut. Col. MARTIN BURKE,
Commanding Fort Lafayette, New York Harbor:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 1, 1865:

Conduct—very good. Cleanliness—very good. Clothing—good. Bedding—iron bedsteads, husk mattresses, blankets, sheets, and pillows. State of quarters—very good. State of mess-houses—cleanly. State of kitchen—cleanly. Food, quality of—good. Food, quantity of—circular of June 1, 1864, complied with. Water—excellent (Croton). Sinks—cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post; prisoners very sick are sent to Fort Hamilton. Attendance of sick—Hospital Doctor Gibson attends to sick every morning. Hospital diet—none at post. General health of prisoners—very good. Vigilance of guard—guards vigilant, prisoners verified three times during the night.

Remarks and suggestions.—There are fifty-four prisoners confined at this post, consisting of prisoners of war and state. Their treatment as regards quarters and exercise is excellent. Everything allowed by existing orders is furnished to them, and a good degree of satisfaction is expressed by them for the uniform excellence of their treatment.

Very respectfully, your obedient servant,
CHARLES STEELHAMMER,
First Lieut., Seventeenth U. S. Infty., Post Adjt. and Insp. Officer.

[Indorsement.]

Treatment, &c., in accordance with instructions received, is strictly carried out.

Respectfully referred to the Commissary-General of Prisoners.
MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding Post.

HEADQUARTERS MILITARY PRISON,
Elmira, N. Y., January 1, 1865.

Col. B. F. TRACY. *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 1, 1865:

Conduct—much improved. Cleanliness—good, better than it has been. Clothing—very fair. Bedding—I think there is plenty. State of quarters—greatly improved. State of mess-houses—good. State of kitchen—very good. Food, quality of—very fair. Food, quantity of—plenty. Water—abundant. Sinks—fair. Police of grounds—much better than I have ever seen them. Drainage—good. Police of hospital—good, except Ward 7, which was very dirty. Attendance of sick—good. Hospital diet—the very best. General health of prisoners—has improved some. Vigilance of guard—good.

Remarks and suggestions.—There are ninety-five cases of smallpox and nine deaths during the week. All clothing has been destroyed belonging to them. There has been a great change in the conduct and cleanliness of the men (for the better), on account of recent orders

issued by Lieutenant-Colonel Moore, commanding the camp, and if strictly carried out will add much to the discipline of the camp. Convalescent Ward No. 4 is unsafe for use. The sides gave way Saturday evening on account of the heft of the roof, being four thicknesses of lumber on them. If they were shingled they would be more safe and lighter.

Very respectfully, your obedient servant,

WM. P. JORDAN,

Captain, Twenty-ninth Maine Veteran Vols., Inspecting Officer.

[Indorsement.]

The ceiling of the hospital wards is completed and the wards are now very comfortable. I have the honor also to report that the conduit for conducting a stream of water from the Chemung River through the prison camp is fully completed and works like a charm. It proves, however, to have been a more serious job than was anticipated, owing to waste and quicksand in the bottom of the cutting. Through a considerable portion of the cutting we struck the coarse gravel of what seems once to have been the river's bottom. Through this the water ran quite freely, compelling us to use the pump extensively. Quicksand was also found in places. It is at last completed at a cost, aside from the labor of prisoners, of $2,000, but it is worth twice its cost.

Respectfully referred to the Commissary-General of Prisoners.

B. F. TRACY,

Colonel 127th U. S. Colored Troops, Commanding Depot.

HEADQUARTERS SUPERINTENDENT OF PRISON,

Johnson's Island, Ohio, January 1, 1865.

Col. CHARLES W. HILL,

128th Regt. Ohio Vol. Infty., Comdg. U. S. Forces, Johnson's Island:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 1, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—no straw issued to prison since June, 1864, except three blocks and hospital; bunks and blankets wanted. State of quarters—nine blocks clean, two fair, and Block 10 dirty. State of mess-houses—fair. State of kitchen—fair. Food, quality of—good. Food, quantity of—prisoners' ration, except potatoes. Water—lake water and good. Sinks—fair. Police of grounds—good. Drainage—good. Police of hospital—very good. Attendance of sick—good. Hospital diet—good and abundant. General health of prisoners—very good; one case of smallpox. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,209; number in hospital, 44; deaths since last report, 3.

Very respectfully, your obedient servant,

E. A. SCOVILL,

Lieut. Col. 128th Ohio Vol. Infantry and Inspecting Officer.

[Indorsement.]

The deficiency of blankets it is expected will soon be obviated. The order to erect barracks for the Sixth Regiment Veteran Reserve Corps came at so late a day in the season as to render it very difficult to get the lumber, and the unexpectedly large increase of prisoners overrun

the capacity of the barracks and compelled the use of part of one of the mess-halls, which had to be provided with a floor and partition, in order to [accommodate] some 200 prisoners whom the superintendent reported could not be quartered in the barracks. For the floor, partition, and increased number of bunks there was a new demand for lumber, which could be only partially met. Whenever the ice will permit deficient supplies are brought over on sleds and small boats operated by men on the ice. The distance is over three miles, and the ice much of the time unsafe for heavy loads. These facts will explain some of the deficiencies referred to in the foregoing report.

Straw has been difficult to obtain, but it is expected that that necessity will soon be supplied. On a report of the chief medical officer that scurvy was appearing in the prison, an order was issued on the 30th ultimo to issue sixty pounds of onions to every 100 rations until the 1st of March, 1865. I also understand from the chief medical officer that there are three cases of varioloid and smallpox among the prisoners. Pursuant to direction of the Commissary-General of Prisoners, by telegram, an order was issued on the evening of the 31st ultimo to construct a pest-house in the prison yard. The work will go on immediately.

Respectfully referred to the Commissary-General of Prisoners.

CHAS. W. HILL,
Colonel 128th Ohio Volunteer Infantry, Commanding Post.

GENERAL ORDERS, No. 1. } HDQRS. C. S. MILITARY PRISONS EAST OF THE MISSISSIPPI, *Columbia, S. C., January 1, 1865.*

Headquarters C. S. Military Prisons East of Mississippi River, heretofore at Augusta, Ga., is hereby removed to Columbia, S. C., to which point all communications will be addressed.

By order John H. Winder, brigadier-general:

W. S. WINDER,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Nashville, January 2, 1865.

Maj. Gen. G. H. THOMAS,
Comdg. Department of the Cumberland, Nashville, Tenn.:

GENERAL: I am informed that wounded rebel prisoners are being collected at Pulaski and Columbia, as well as at Franklin, and I have therefore the honor to request that the surgeons in charge of them may be instructed to forward them as rapidly as possible to this city. Those who are able to be moved should be sent forward at once, and others as soon as they are sufficiently recovered to bear the journey. It is not desirable to establish hospitals for prisoners south of this point, but as for the present it is unavoidable to provide for extreme cases, it is desirable that all such cases should be collected in the hospital at Franklin, to be forwarded as soon as they recover. By this arrangement guards and attendants will be saved and the prisoners will be properly accounted for. I fear if special instructions are not given wounded prisoners will not be forwarded as promptly as they might be.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Com. Gen. of Prisoners West Miss.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Steamer Tarascon, January 12, 1865.

Respectfully referred to Surg. George E. Cooper, medical director, Department of the Cumberland.

By command of Major-General Thomas:

HENRY M. CIST,
Assistant Adjutant-General.

[Second indorsement.]

HDQRS. DEPARTMENT OF THE CUMBERLAND,
MEDICAL DIRECTOR'S OFFICE,
Eastport, Miss., January 16, 1865.

Respectfully returned inviting attention to the inclosed letter.*

GEO. E. COOPER,
Surgeon, U. S. Army, Medical Director.

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Eastport, Miss., January 17, 1865.

Respectfully returned to Bvt. Brig. Gen. W. Hoffman, Commissary-General of Prisoners, with reference to inclosed letter from Maj. George E. Cooper, medical director, Department of the Cumberland.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

JANUARY 2, [1865].

Maj. Gen. B. F. BUTLER,
Comdg. Dept. of Virginia and North Carolina, Fort Monroe:

GENERAL: I have the honor to refer you to the bearer, Second Lieutenant Dobbs, Nineteenth U. S. Colored Infantry, an escaped prisoner from Columbia, S. C., as to the manner in which Capt. Shad. Harris, [Third] Tennessee Cavalry, is treated by the rebels. Captain Harris has been in the hands of the rebels for two years, and has had all the indignities heaped upon him by his brutal captors of which even they are capable. You will learn from the statement of Lieutenant Dobbs the falsity of the assertion made by Mr. Ould that Captain Harris was not in irons.

Trusting, general, to the efficacy of your measures with rebels to secure the release of a zealous, high-spirited, and gallant officer of our service, who has suffered long and uncomplainingly,

I am, respectfully, your obedient servant,

S. P. CARTER,
Brig. Gen. and Provost-Marshal-General of East Tennessee.

GENERAL ORDERS, No. 1. } HEADQUARTERS DISTRICT OF INDIANA,
Indianapolis, January 2, 1865.

I. Before a military commission, which convened at Indianapolis, Ind., on the 19th day of September, 1864, pursuant to Special Orders, No. 129,

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* See Cooper to Hoffman, January 12, p. 56.

dated headquarters District of Indiana, Indianapolis, September 17, 1864; Special Orders, No. 132, paragraphs 2 and 3, dated headquarters District of Indiana, Indianapolis, September 22, 1864; Special Orders, No. 153, paragraphs 3 and 5, dated headquarters District of Indiana, Indianapolis, October 18, 1864; Special Orders, No. 154, paragraphs 2 and 5, dated headquarters District of Indiana, Indianapolis, October 19, 1864; Special Orders, No. 161, paragraph 1, dated headquarters District of Indiana, Indianapolis, October 29, 1864, and of which Bvt. Brig. Gen. Silas Colgrove, U. S. Volunteers, is president, were arraigned and tried:

First. Andrew Humphreys, citizen of the State of Indiana, United States of America.

CHARGE I: Conspiracy against the Government of the United States.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, did, among themselves, and with Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, conspire against the Government and duly constituted authorities of the United States, and did join themselves to, and secretly organize and disseminate, a secret, unlawful society or order, known as the Order of American Knights, or Order of the Sons of Liberty, having both a civil and military organization and jurisdiction, for the purpose of overthrowing the Government and duly constituted authorities of the United States. This, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly, threatened to be invaded by the enemy. This, on or about the 16th day of May, 1864.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, during an existing rebellion against the Government and authorities of the United States, said rebellion claiming to be in name of, and on behalf of, certain States, being a part of and owing allegiance to the United States, did combine and agree, with one Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, to adopt and impart to others the creed or ritual of a secret, unlawful society or order, known as the Order of American Knights, or Order of the Sons of Liberty, denying the authority of the United States to coerce to submission certain rebellious citizens of said United States, designing thereby to lessen the power and prevent the increase of the armies of the United States, and thereby did recognize and sustain the right of the citizens and States, then in rebellion, to disregard and resist the authority of the United States. This, at a period of war and armed rebellion against the authority of the United States, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was threatened to be, invaded by the enemy. This, on or about the 22d day of February, 1864.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, owing true faith and allegiance to the Government of the United States, and, while pretending to be peaceable, loyal citizens of the Government, did secretly, covertly, combine, agree, and conspire among themselves, and with one Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, to overthrow and render powerless the Government of the United States, and did, in pursuance of said combination, agreement, and conspiracy, form and organize a certain unlawful secret society or order, known as the Order of American Knights, or Order of Sons of Liberty, whose intent and purpose was to cripple and render powerless the efforts of the Government of the United States in suppressing a then existing formidable rebellion against said Government. This, on or about the 1st day of October, 1863, at a period of war and armed rebellion, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was constantly, threatened to be invaded by the enemy.

Specification 4.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, did conspire and agree with Harrison H. Dodd, David T. Yagel, John C. Walker, and Joshua Bullitt, and others—these men at that time holding military positions and ranks in a certain secret unlawful society or organization, known as the Order of American Knights, or Order of the Sons of Liberty—to seize by force the United States and State arsenals at Indianapolis, Ind., Columbus, Ohio, and Springfield, Ill., to release by force the

rebel prisoners held by the authorities of the United States at Camp Douglas, and Rock Island, Ill., Camp Morton, Ind., and Camp Chase, Ohio, and the Depot of Prisoners of War on Johnson's Island, and arm these prisoners with the arms thus seized, and that then said conspirators, with all the forces they were able to raise in the secret order above named, were, in conjunction with the rebel prisoners thus released and armed, to march into Kentucky and Missouri, and co-operate with the rebel forces to be sent to those States by the rebel authorities against the Government and authorities of the United States. This, on or about the 20th day of July, 1864, at a period of war and rebellion against the authority of the United States, at or near the city of Chicago, Ill., a State within the lines of the Army of the United States, and the theater of military operations, and threatened by invasion of the enemy.

CHARGE II: Affording aid and comfort to rebels against the authority of the United States.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, being then members of a certain secret, unlawful society or order, known as the Order of American Knights, or Order of Sons of Liberty—the United States being then in arms to suppress a rebellion in certain States against the authority of the United States—said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, Stephen Horsey, and others, then and there acting as members and officers of said secret, unlawful society or order, did design and plot to communicate with the enemies of the United States, and did communicate with the enemies of the United States, with the intent that they should in large force invade the territory of the United States, to wit: The States of Kentucky, Indiana, and Illinois, with the further intent that the so-called secret, unlawful society or order, aforesaid, should then and there co-operate with the said armed forces of the said rebellion against the authority of the United States, and did communicate to said armed forces the intent and purposes of said secret, unlawful society or order. This, at a period of war and armed rebellion against the authority of the United States, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was constantly threatened to be, invaded by the enemies of the United States. This, on or about the 16th day of May, 1864.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, while the Government was attempting by force of arms to suppress an existing rebellion, while guerrillas and other armed supporters of the rebellion were in the State of Kentucky, did send a messenger and brother member, with them, of a secret, unlawful society or order, known as the Order of American Knights, or Order of the Sons of Liberty, into said State of Kentucky with instructions for Joshua F. Bullitt, grand commander of said secret, unlawful society or order, in said State, and other members of said secret society or order in said State, to select good couriers or runners to go upon short notice, and for the purpose of assisting those in rebellion against the United States, to call to arms the members of said secret society or order, and other sympathizers with the existing rebellion, whenever a signal should be given by the authorities of said secret society or order. This, on or about the 20th day of July, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, being citizens of the State of Indiana, United States of America, and owing true allegiance to the said United States, did join themselves to a certain unlawful secret society or order, known as the Order of American Knights, or Order of the Sons of Liberty, designed for the overthrow of the Government of the United States, and to compel terms with the citizens or authorities of the so-called Confederate States, the same being portion of the United States, and in rebellion against the authority of the United States, and did communicate the designs and intent of said order to those in rebellion against the Government of the United States. This, on or about the 20th day of July, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE III: Inciting insurrection.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, during a time of war between the United States and armed enemies of the United States, and of rebellion

against its Government, organize, and attempt to arm, and did arm, a portion of the citizens of the United States, through an unlawful secret society or order, known as the Order of American Knights, or Order of the Sons of Liberty, with the intent to induce them, with themselves, to throw off the authority of the United States, and co-operate with said armed enemies of the United States against the legally constituted authorities of the United States. This, on or about the 20th day of July, 1864, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, by public address, by secret circulars and communications, and by other means, endeavor to, and did arouse sentiments of hostility to the Government of the United States, and did attempt to induce the people to revolt against said Government, and secretly organize and arm themselves for the purpose of resisting the laws of the United States and the orders of the duly elected President thereof. This, on or about the 16th day of February, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE IV: Disloyal practices.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war, and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of, and owing allegiance and military service to, the United States, to disregard the authority of the United States, and to resist a call or draft, designed to increase the Army of the United States, and did make preparation and attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret order, known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with intent of resisting said call or draft. This, on or about the 1st day of July, 1864, at or near Shoals Station, Martin County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war, and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of, and owing allegiance and military service to, the United States, to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparation and attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society or order, known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 1st day of November, 1863, at or near Green Fork Township, Randolph County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war, and during an armed rebellion against the legally constituted authorities and Government, did counsel and advise citizens of, and owing allegiance and military service to, the United States, to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparations, and did attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society, or order, known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 16th day of May, 1864, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 4.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war, and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of, and owing allegiance and military service to, the United States, to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparation, and attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society, or order, known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose

and with the intent of resisting said call or draft. This, on or about the 1st day of August, 1864, at or near Salem, Washington County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 5.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did accept and hold offices of the military forces for the State of Indiana in a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, which said offices and military force was unknown to the Constitution and laws of the United States, or the State of Indiana, and were not in aid of, but opposed to, the legally constituted authorities thereof. This, on or about the 16th day of February, 1864, at a time of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE V: Violation of the laws of war.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, while the Government of the United States was carrying on war with the enemies of the United States engaged in rebellion against their authority, while pretending to be peaceable and loyal citizens of the United States, violate their allegiance, and did, as citizens of said Government, attempt to introduce said enemies of the United States into loyal States of said United States, thereby to overthrow and destroy the authority of the United States. This, on or about the 16th day of May, 1864, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which has been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, during a war between the United States and the said enemies of the United States engaged in rebellion against their authority, and while pretending to be peaceable, loyal citizens of the United States, [did] organize and extend a certain unlawful secret society or order, known as the Order of American Knights, or Order of the Sons of Liberty, having for its purpose the same general object and design as the said enemies of the United States, and with the intent to aid and insure the success of said enemies in their resistance to the legally constituted authorities of the United States. This, at or near the city of Indianapolis, Ind., on or about the 16th day of May, 1864.

To which charges and specifications the accused, Andrew Humphreys, pleaded not guilty.

FINDINGS.

Having maturely considered the evidence adduced, the court finds the accused, Andrew Humphreys, as follows:

Charge I.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the first charge, guilty.

Charge II.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the second charge, guilty.

Charge III.

Of the first specification, guilty.
Of the second specification, not guilty.
Of the third charge, guilty.

Charge IV.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the fifth specification, guilty.
Of the fourth charge, guilty.

Charge V.

Of the first specification, not guilty.
Of the second specification, guilty.
Of the fifth charge, guilty.

SENTENCE.

And the commission do, therefore, sentence him, the said Andrew Humphreys, a citizen of the State of Indiana, to be confined at hard labor during the war, at such place as the proper authority shall designate.

II. The proceedings, findings, and sentence in the foregoing case of Andrew Humphreys, a citizen of the State of Indiana, United States of America, are approved; but as the evidence does not show that the said Andrew Humphreys took any active part or committed any overt acts which were calculated to incite an insurrection or aid the conspiracy, and in view of his former good character and lengthy confinement, Col. A. J. Warner, Seventeenth Regiment Veteran Reserve Corps, commanding post at Indianapolis, Ind., will discharge the said Andrew Humphreys upon the following conditions, viz:

That the said Andrew Humphreys give his parole of honor that he will confine himself within the limits of Wright and Stockton Townships, in the county of Greene, in the State of Indiana, during the term of the present war of the rebellion; and, further, that he will take no part, directly or indirectly, against the prosecution of the present war by the United States against the rebels now in arms.

Upon the breach of said parole by the said Andrew Humphreys, he will be immediately arrested and delivered to the commanding officer at Covington, Ky., who is charged with the execution of the sentence, in conformity with the finding of the commission.

By command of Bvt. Maj. Gen. Alvin P. Hovey:

J. W. WALKER,
Major and Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA,
SUBSISTENCE DEPARTMENT,
Richmond, January 2, 1865.

Hon. JAMES A. SEDDON, *Secretary of War:*

SIR: I have the honor to state that about 13,000 prisoners are now held at Salisbury, N. C., and that they are being subsisted from a section of country which should, at this juncture, be wholly tributary to General Lee's army. I respectfully request that they be removed to points where supplies are more abundant and cannot be made immediately available for the troops in Virginia.

Very respectfully, your obedient servant,

L. B. NORTHROP,
Commissary-General of Subsistence.

[First indorsement.]

JANUARY 2, 1865.

ADJUTANT-GENERAL:

Refer to General Winder, who has general charge of all the prisoners, and inform him that the Department feels the force of the suggestion made by the Commissary-General, and would be pleased to have the prisoners at Salisbury removed to some more productive region as soon, and as fast, as some provision can be made for their security and subsistence elsewhere.

J. A. SEDDON.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
January 5, 1865.

Respectfully referred to Brigadier-General Winder.
Please see indorsement from the Secretary of War.
By command of Secretary of War:

H. L. CLAY.

[Third indorsement.]

JANUARY 26, 1865.

Respectfully returned to the Adjutant-General.

This subject has already been a source of great concern (see my letter of December 21, 1864, from Columbia*). In that letter it was suggested to remove the prisoners either to Alabama or Southwestern Georgia. Since then, however, events have transpired to render both those places unsafe, in my opinion, and I know of no place south and west of the Savannah River that could be considered safe. (See my letter of January 24, 1865.) Every effort will be made to remove prisoners from Salisbury for the within and other reasons. There are, however, only about 8,000 prisoners at Salisbury.

Respectfully,

JNO. H. WINDER,
Brigadier-General.

[Fourth indorsement.]

FEBRUARY 4, 1865.

Respectfully submitted to the Secretary of War, in connection with W. 122, submitted to-day.

Please see also inclosure, a copy of which has been returned to General Winder.

H. L. CLAY,
Assistant Adjutant-General.

[Fifth indorsement.]

FEBRUARY 7, 1865.

No further action can be taken on these papers at present.

J. C. BRECKINRIDGE,
Secretary of War.

SPECIAL ORDERS, No. 1.

HDQRS. C. S. MILITARY PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 2, 1865.

I. Surg. Edward McDonald, having reported by letter to these headquarters, will proceed at once to Andersonville, Ga., and report to commanding officer for assignment to duty.

II. Brig. Gen. J. D. Imboden, Provisional Army, C. S., is hereby assigned to the command of all military prisons in the States of Georgia and Alabama and Mississippi, and will until further orders establish his headquarters at Augusta, Ga.

III. The following-named officers are assigned to duty at these headquarters: Chief Surg. Isaiah H. White; Capt. R. B. Winder, chief quartermaster; Capt. S. T. Bayly, assistant adjutant-general.

By order:

JNO. H. WINDER,
Brigadier-General.

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* See Vol. VII, this series, p. 1258.

COLUMBIA, S. C., *January 2, 1865.*

THOMAS WALKER, Esq.,
President Wilmington and Manchester Railroad, Wilmington, N. C.:

I shall be obliged to remove the prisoners of war from Florence. Please hold the road in readiness to move them either toward Augusta or Wilmington. Inform me what can be done. There are about 10,000 prisoners and the guard.

JNO. H. WINDER,
Brigadier-General.

WASHINGTON, D. C., *January 3, 1865.*

Lieutenant-General GRANT, *City Point:*

I learn from the Quartermaster and Commissary Generals that there are supplies at Fort Monroe and in the James which can be sent to our prisoners in accordance with General Orders, No. 299, December 7, 1864, but that no special requisitions had been made for that purpose. It was understood that as soon as you perfected the arrangements with Mr. Ould some one would be designated by yourself or General Butler to deliver supplies to General Hayes or Colonel Weld within the enemy's lines. In order to properly settle the accounts it would be best that the issues should be on special requisitions naming the object. The Secretary of War is anxious that supplies be forwarded as promptly as possible. It is not known here whether any of the officers named in Order 299 have been accepted by the enemy.

H. W. HALLECK,
Major-General and Chief of Staff.

HEADQUARTERS OF THE ARMY,
Washington, January 3, 1865.

Lieutenant-General GRANT, *City Point, Va.:*

GENERAL: In compliance with the instructions of the Secretary of War, to transmit to you all papers in regard to supply of prisoners of war, I inclose herewith certain papers received from General Paine.*

The Secretary of War refused permission to purchase on credit before the arrival of the cotton, on the ground that such a proceeding would give to the rebel Government and agents an acknowledged credit in our markets. The furnishing supplies from friends should be governed by what the rebels do in regard to our prisoners. The transfer of commissioned officers to camps where there are none has been ordered. The release on parole of other officers to assist General Beall is deemed objectionable on account of the facilities it would afford to communicate between the different camps and arrange plans of escape. But if the enemy should allow General Hayes an assistant, probably the Secretary would permit one to General Beall.

Since commencing this letter I learn that General Beall's course of conduct in New York has been so conspicuous and offensive that the Secretary of War has ordered his sign to be taken down. General Paine has also been directed to suspend his parole and take him in custody till the cotton arrives. The selection of General Beall was

*See Paine to Halleck, December 28, 1864, and inclosures, Vol. VII, this series, p. 1287.

unfortunate, for he seems disposed to make all the trouble he can. His parole will be renewed the moment the cotton reaches New York.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, VA., *January 3, 1865.*

Judge ROBERT OULD, *Agent of Exchange:*

SIR: Herewith I have the honor to inclose official copy of General Orders, No. 299, from the War Department, of date December 7, 1864.* You will see that it contemplates the paroling of two officers for the purpose of receiving and distributing supplies. I am not aware that any other officer than General Beall has been paroled by the Federal authorities as general agent for the receipt and distribution of supplies to Confederate prisoners in our hands. I will, however, state that should they parole two, I have no doubt that the same number will be paroled on our part. I will be glad to send through the lines supplies of clothing and provisions so soon as notified when and where they will be received.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS OF THE ARMY,
Washington, D. C., January 3, 1865.

Brig. Gen. H. E. PAINE, *New York City:*

GENERAL: Whenever General Beall is ready to make distributions at any prison camp where there are no commissioned officers prisoners, you will give notice in order that three may be sent for that purpose from Johnson's Island. The officers so sent will be kept separate from the other prisoners, and have no communication with them, except in making the distributions under your supervision and that of our officers at such camp.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

NEW YORK, *January 3, 1865.*

Brig. Gen. W. N. R. BEALL:

GENERAL: I inclose copy of telegram just received and will be ready to carry out the instructions therein contained at 2 o'clock p. m. to-morrow if you will be kind enough to meet me at that time at your office, 75 Murray street.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[Inclosure.]

WAR DEPARTMENT,
Washington, D. C., January 3, 1865—2.07 p. m.

Brig. Gen. H. E. PAINE, *New York:*

The Secretary of War directs that you will suspend General Beall's parole and place him in Fort Lafayette as a prisoner of war until the

*See Vol. VII, this series, p. 1198.

arrival of cotton from Mobile, when his parole will be renewed and he will enter upon the business as agreed upon between General Grant and Mr. Ould. You will remain in New York and await the arrival of the cotton.

H. W. HALLECK,
Major-General and Chief of Staff.

WASHINGTON CITY, D. C., *January 3, 1865.*

Maj. Gen. E. R. S. CANBY, *Commanding, &c.:*

SIR: The Secretary of War directs me to inform you that Admiral Buchanan is held subject to exchange like other prisoners of war, and he desires this to be made known to the rebel authorities west of the Mississippi River in order that a misapprehension on the subject may be corrected.

Very respectfully, your obedient servant.

E. A. HITCHCOCK,
Major-General, U. S. Volunteers, Commissioner of Exchange.

P. S.—I presume, general, that the object of this notice is to remove an objection which it is said has stood in the way of the exchange of some naval prisoners (Union) held in Texas. You can act, therefore, in the case as if this information had been communicated prior to the interruption of exchanges.

E. A. H.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 3, 1865.

Maj. Gen. E. R. S. CANBY,
Comdg. Mil. Div. of West Mississippi, New Orleans, La.:

GENERAL: I have the honor to inform you that the necessary orders have been issued from this office for the forwarding to you for exchange of the prisoners captured at Helena, Ark., July 4, 1863; those captured by the forces of Major-General Steele in the Department of Arkansas prior to July 28, 1864, and the officers (if any in our possession) who were captured at Fort Butler, Donaldsonville, La., in June, 1863, and inclose herewith for your information copies* of orders from this office in relation to the same.

Those prisoners who were captured in Arkansas and who are now confined at Little Rock, Ark., being within your command, can be transferred on your order.

I am, general, very respectfully, your obedient servant,

H. W. WESSELLS,
Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

HEADQUARTERS ROCK ISLAND BARRACKS,
Rock Island, Ill., January 3, 1865.

Brig. Gen. H. W. WESSELLS,
Inspector and Commissary-General of Prisoners:

GENERAL: I have the honor to acknowledge the receipt of the communication addressed by you to Hon. C. M. Harris, Member of Congress,

* See Special Orders, No. 49, December 30, 1864, Vol. VII, this series, p. 1298.

in relation to the alleged statements of the Argus newspaper, published in the city of Rock Island, the same being furnished for my information. The disposal of the subject by you in the manner indicated in the letter I am deeply thankful for, and as the matter has been brought to your notice through outside sources, I trust the following remarks in relation to the subject will not be amiss: During the political strife which has passed this paper was known as one of the most untruthful sheets in everything that related to the Government and the furtherance of its party success. As its circulation was largely among the friends and relations of the prisoners here residing in the border States, who took this paper for no other reason than to glean from its columns such slight intelligence of the prisoners as the editor was able to pick up on the streets, we were greatly annoyed by letters from these people asking if such and such statements were true. Though the inquiries were treated courteously, no steps were taken to correct the willful lies of this man, who seemed lost to all sense of honor or truth, until the appearance of the article which was referred to you. It was then debated in my mind whether to notice this statement or pass it by. Knowing that I would be flooded with letters from the friends of the prisoners and others in relation to it, I decided it was the most judicious plan to answer it. A copy of that answer I beg to inclose herewith. In connection with this I would respectfully bring to your notice a rumor, which comes to me with every semblance of truth, to the effect that a well-known copperhead of Davenport, one Judge Grant by name, a bosom friend of Mr. Prettyman and such ilk, left for Washington some time ago to endeavor to bring to the notice of the President the "inhuman treatment of prisoners at this post," and obtain, if possible, permission to visit the prison and investigate the matter. I have no fears of success on his part, but bring this forward to show the spirit animating these disloyal busybodies, whose desires are not to ameliorate the condition of the prisoners so much, but to use it as a hobby for partisan purposes.

I am, general, very truly and respectfully, your most obedient servant,

A. J. JOHNSON,

Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

[Inclosure.]

HEADQUARTERS ROCK ISLAND BARRACKS,
Rock Island, Ill., November 23, 1864.

Mr. EDITOR: In your issue of the 21st instant I notice an article on the treatment of prisoners of war at this depot. Up to this time I have passed unnoticed the numerous erroneous articles that have appeared in the papers of this vicinity in relation to the occurrences at this post, but in this case I will deviate from an established rule and give your article of the 21st instant the notice it seems to merit. Owing to the fact that your paper has a wide circulation among the relatives of a large number of the prisoners, it is desirable that the antidote should quickly follow the poison in order to save the wives, mothers, fathers, sisters, and brothers of the prisoners unnecessary grief. Your assertions are founded on what you term a talk with several "newly made Union men," and it would be difficult to imagine it possible to put together a greater amount of error and misrepresentation in the same space.

You start with an issue of eight ounces of bread and a small piece of salt meat the size of two fingers daily; give large numbers the scurvy,

and deliberately and willfully torture them to death, and call for fearful judgment on the guilty parties. Did you not blush when you published in your issue of the 22d instant the official report of the deaths of prisoners at this depot, amounting to three for the previous week? That report was a scorching answer to your whole article of the 21st instant.

On the 1st of June last the issue of rations to prisoners was reduced to the following: Pork or bacon, ten ounces (in lieu of fresh beef); fresh beef, fourteen ounces; flour or soft bread, sixteen ounces; hard bread, fourteen ounces (in lieu of flour or soft bread); corn-meal, sixteen ounces (in lieu of flour or soft bread); beans or peas, twelve pounds and a half to 100 rations; rice or hominy, eight pounds to 100 rations; soap, four pounds to 100 rations; salt, three pounds and a quarter to 100 rations; vinegar, three quarts to 100 rations. The bread and meat issue is two ounces per day less than is issued to the troops. The prisoners have no labor to perform while the troops are worked hard. When prisoners are worked they do so voluntarily, and receive additional rations and also pay. Hundreds of dollars are expended every month to purchase tobacco to distribute among them. They have always been allowed to receive necessary clothing from their relatives, and scarcely a day passes without a large number of the most needy are brought out to receive clothing furnished by the Government. Thousands of suits of clothes, and likewise of blankets, have been issued, and the Government furnishes more clothing to destitute prisoners in one day than friends do in two months. Only about one-fifth of the prisoners have received clothing from friends, while the other four-fifths are supplied entirely by the Government, and as a general thing that one-fifth are rebels and are supplied by rebels and rebel sympathizers.

The above issue of rations is made to the letter. Each company of prisoners receives ten days at a time, in bulk, they having the entire control of the distribution among themselves, and the few Union prisoners in each company are at the mercy of a rebel majority. That, perhaps, will account, if true, for the eight ounces of bread and the small piece of meat received by them.

Did it ever occur to you that, while you can spend the necessary time to pen an article like that and use nearly a column of your paper for its publication, your files may be searched in vain for the smallest editorial paragraph in condemnation of the rebel authorities for the brutal treatment of our men in their hands? You seem to be in doubt as to whom belongs the treatment of the prisoners at this depot. I will enlighten you. The treatment of them here and all issues to them are made strictly in accordance with orders from the War Department. I will embrace this opportunity to state that by a perusal of the columns of the Argus for the past year I am enabled to form a correct opinion of your position, and I have no objection to give you, in plain terms, what would be my action in regard to the treatment of prisoners in my charge if discretionary power rested with me: In the first place, instead of placing them in fine, comfortable barracks, with three large stoves in each and as much coal as they can burn, both day and night, I would place them in a pen with no shelter but the heavens, as our poor men were at Andersonville. Instead of giving them the same quality and nearly the same quantity of provisions that the troops on duty receive, I would give them, as near as possible, the same quantity and quality of provisions that the fiendish rebels give our men; and instead of a constant issue of clothing to them, I would let them wear

their rags, as our poor men in the hands of the rebel authorities are obliged to do; or, in other words, had I the power, strict retaliation would be practiced by me. Again, if discretionary power rested with me, I would arrest and confine the known sympathizers with the rebellion residing in Rock Island and Davenport, and quite a large number would be quickly added to our list of prisoners, and those communities would be relieved from a more dangerous element than open rebels in arms.

You will oblige me by publishing this communication entire.

I am, sir, very respectfully, your most obedient servant,

A. J. JOHNSON,

Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

HEADQUARTERS WEST'S BUILDINGS HOSPITAL,
*Baltimore, Md., January 30, 1865.**

Surg. A. CHAPEL, U. S. Volunteers, *Commanding Hospital:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient. Bedding—good. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—excellent. Food, quantity of—sufficient. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—excellent. Hospital diet—good. General health of prisoners—good as could be expected from the nature of their wounds and diseases. Vigilance of guard—good.

Very respectfully, your obedient servant,

HORATIO ROBERTS,

Second Lieut., Veteran Reserve Corps, and Inspecting Officer.

OFFICE SUPT. AND INSPECTOR OF MILITARY PRISON,
Saint Louis, Mo., January 3, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 2, 1865:

Conduct—good. Cleanliness—improving. Clothing—sufficient, with a few exceptions. Bedding—good enough. State of quarters—clean. State of mess-houses—clean. State of kitchen—clean. Food, quality of—according to regulations. Food, quantity of—sufficient. Water—plenty. Sinks—the same as last reported. Police of grounds—satisfactory. Drainage—sufficient, when it don't freeze. Police of hospital—very good. Attendance of sick—same. Hospital diet—according to regulations. General health of prisoners—good. Vigilance of guard—generally satisfactory.

Remarks and suggestions.—I had the honor of accompanying the major-general commanding the department through our prisons to-day. The general had a careful inspection and was made acquainted with all the suggestions and propositions made from this office in reference to the necessity and propriety of a change of location and other reforms

* Inadvertently inserted out of chronological order.

proposed. I respectfully refer to what may be the general's opinion: He told me that he was pleased with the cleanliness and the good order about the prisons.

Very respectfully, your obedient servant,

GUST. HEINRICHS,

Lieut. Col. Forty-first Missouri Volunteers and Inspecting Officer.

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 3, 1865.

Dr. S. P. MOORE,
Surgeon-General C. S. Army, Richmond, Va.:

SIR: Permit me respectfully to invite your attention to General Orders, No. 84, Adjutant and Inspector General's Office, paragraph I, by which I am constituted Commissary-General of Prisoners All officers and men serving with the different prisons east of Mississippi River are placed under my command. At the several prisons there are a large number of medical officers; some placed on duty in orders from the War Department, others by various medical directors. The location of these prisons is frequently changed, creating a necessity for the transfer of the officers beyond the limits of the department of medical director, by whom they were assigned. The interest of the prisons being somewhat at variance with the Confederate hospitals, great difficulty is sometimes experienced in obtaining the necessary supplies for the comfort of the sick of this command. Many of the administrative details of the medical department of this command necessarily pass through these headquarters. I have, therefore, placed Surg. Isaiah H. White on duty at these headquarters as chief medical officer of the prisons. I find this necessary and hope you will approve of this, and separate the prison hospitals from all medical directors, and that he report directly to your office.

Respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

NASHVILLE, TENN., *January 3, 1865.*

Maj. WILLIAM INNES,
Assistant Commissioner, Organizing U. S. Colored Troops:

MAJOR: The following report of my capture and subsequent attempted murder is respectfully submitted for your information:

I was captured on the 20th of December fourteen miles in a southeasterly direction from Murfreesborough, in company with two other officers, Lieut. D. G. Cooke, Twelfth U. S. Colored Infantry, and Capt. Charles G. Penfield, Forty-fourth U. S. Colored Infantry, by a company of scouts belonging to Forrest's command, numbering thirty-six men, commanded by Captain Harvey. As soon as captured we were robbed of everything of any value, even to clothing. We were kept under guard for three days with some other prisoners (private soldiers of General Steedman's division, who were captured near Murfreesborough) until we reached a small town called Lewisburg, some eighteen miles south of Duck River. There the officers were sent under a guard of four men to report, as I supposed, to General Forrest's headquarters. The guard told [me] that was their destination. They took us along the pike road leading from

Lewisburg to Mooresville, about four miles, and then left the road and turned to the right for the purpose, as they said, of stopping at a neighboring house for the night.

After leaving the road about half a mile, as we were walking along through a wooded ravine, the man in advance of us halted, partially turned his horse, and as I came up, drew his revolver and fired on me without a word. The ball entered my right ear just above the center, passed through and lodged in the bone back of the ear. It knocked me senseless for a few moments. I soon recovered, however, but lay perfectly quiet, knowing that my only hope lay in leading them to believe they had killed me. Presently I heard two carbine shots, and then all was still. After about fifteen minutes I staggered to my feet and attempted to get away, but found I could not walk. About that time a colored boy came along and helped me to a house near by. He told me that the other two officers were dead, having been shot through the head. That evening their bodies were brought to the house where I lay. Next morning they were decently buried on the premises of Col. John C. Hill, near by.

The shooting occurred on the 22d, and on the 23d, about midday, one of Forrest's men came to the house where I was lying and inquired for me; said that he had come to kill me. The man of the house said that it was entirely unnecessary, as I was so severely wounded that I would die any way, and he expected I would not live over an hour. He then went away, saying that if I was not dead by morning I would be killed. After he left I was moved by the neighbors to another house, and was moved nearly every night from one house to another until the 27th, when I was relieved by a party of troops sent from Columbia and brought within the Federal lines.

The privates were sent off on a road leading to the right of the one we took; about in the direction of Columbia, I should judge. I cannot but think they were killed, as about that time our forces occupied Columbia, the rebel army having retreated. There were twelve privates, belonging, I think, to Cruft's brigade.*

Very respectfully, your obedient servant,

GEO. W. FITCH,

First Lieutenant, Twelfth U. S. Colored Infty., and A. A. Q. M.

NEW ORLEANS, *January 4, 1865.*

(Received 10.25 p. m. 10th)

Maj. Gen. H. W. HALLECK:

Your telegram of December 29 has been received. The steamship Atlanta, capacity of carrying 1,500 bales, was sent to Mobile Bay on the 16th ultimo to take the cotton referred to to New York. The only delay on our part was occasioned by a norther of three days. The subsequent delay was due to the authorities in Mobile. I learn this morning from Colonel Sawtelle, who has just returned from Mississippi Sound, that General Granger is unable to account for the delay, and was on the point of notifying General Maury that unless he received assurances that the cotton would soon be sent out he would not detain the Atlanta any longer.

ED. R. S. CANBY,

Major-General.

* See also Thomas to Hood, January 13, 1865, Series I, Vol. XLV, Part II, p. 578.

NEW YORK, *January 4, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

GENERAL: I have the honor to inclose certain papers* relating to General Beall's case, having referred to them in a letter this day sent. My attention was called to the matter of the sign some days since, but knowing that it was a small tin sign attached to the glass door on the inside, I did not object to it and am, perhaps, myself at fault. If the weather permits we shall go to Fort Lafayette to-morrow, unless I hear by telegraph from you in reply to my telegram of this date.

Very respectfully, your obedient servant,

HALBERT E. PAINE,
Brigadier-General of Volunteers.

NEW YORK, *January 4, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to state that I called at General Dix's headquarters to-day, and learning the cause of the order, hope to be able to get it changed. Will you meet me at General Dix's headquarters at some hour as soon as possible convenient to you? Please answer.

I am, very respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

NEW YORK, *January 4, 1865.*

Maj. Gen. H. W. HALLECK:

The tug could not land at Fort Lafayette to-day. Please inform me whether General Beall can remain on parole until you receive a written communication to be mailed to-night.

H. E. PAINE,
Brigadier-General of Volunteers.

WAR DEPARTMENT, *Washington, D. C., January 4, 1865.*

Brig. Gen. H. E. PAINE, *New York:*

You have the same discretion in executing orders communicated through me that I have in sending them.

H. W. HALLECK,
Major-General, Chief of Staff.

NEW YORK, *January 4, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to acknowledge the receipt of a copy of a telegram of 3d instant, from Maj. Gen. H. W. Halleck, chief of staff,

*See Beall to Van Buren, December 29, 1864, Vol. VII, this series, p. 1295, and Beall to Paine, January 4, next, *post.*

"directing that my parole be suspended and that I be placed in Fort Lafayette as a prisoner of war till the arrival of the cotton from Mobile, when my parole will be renewed and I will enter upon the business as agreed upon between General Grant and Mr. Ould." I would respectfully state that having been paroled to make arrangements to sell the cotton and purchase supplies, I on my arrival here, as the cotton was daily looked for, rented a store, and have with three weeks' hard work collected in the store-house a large lot of samples of blankets and clothing. These samples are from large and reliable firms and factories, some of them at a distance. The samples have not been examined and decided upon, as I was not ready to purchase. I will of course have to return them if I go to Fort Lafayette, and the purchases when the cotton does come must be delayed and all the work gone over. I would therefore most respectfully ask that the Honorable Secretary of War permit me to remain on parole till the arrival of the cotton. If this favor cannot be granted, I would ask for two days' time to return the samples. It cannot be done in less time. By the suspension of my parole it is clear that I am thought to have acted in some way not consistent with my instructions and the wishes of the War Department.

I have been studiously careful to observe to the letter my instructions and parole, and if I have failed to do so in any one particular I am not aware of it, and ask that my conduct since here be examined into. This I think but justice to me, as my reputation must be injured by a suspension of my parole.

I would state that a sign which I thought necessary to put up to point out my place of business gave grounds for some remarks in the papers. The sign has been permanently taken down.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,

Brigadier-General, Provisional Army, C. S.,

Paroled Prisoner of War and Agent to Supply Prisoners of War.

OFFICE COMMISSARY-GENERAL OF PRISONERS,

Washington, D. C., January 4, 1865.

Maj. Gen. B. F. BUTLER,

Commissioner for Exchange, Fort Monroe, Va.:

GENERAL: By authority of the Secretary of War I inclose herewith for your information a copy of special orders from this office, authorizing the execution of retaliatory measures in the case of Capt. W. H. Snowden, Tenth New Jersey Volunteers, now held as a prisoner by the rebels, and who it is represented is subjected to treatment set forth in the order. It is respectfully requested that the rebel authorities may be notified of the action taken.

I am, general, very respectfully, your obedient servant,

H. W. WESSELLS,

Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

[Inclosure.]

SPECIAL ORDERS, No. 2. } OFFICE COM. GENERAL OF PRISONERS,

Washington, D. C., January 4, 1865.

* * * * * * *

VIII. By authority of the Secretary of War a captain of the rebel army, a prisoner of war, will be selected and subjected to the same

treatment as Capt. W. H. Snowden, Tenth New Jersey Volunteers, who is said to be held as a hostage for the burning of Letcher's building, treated as a felon, and fed upon bread and water.

* * * * * * *

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

EXECUTIVE MANSION, *Washington, D. C., January 5, 1865.*

Lieutenant-General GRANT, *City Point, Va.:*

Richard T. Jacob, lieutenant-governor of Kentucky, is at the Spotswood House, in Richmond, under an order of General Burbridge not to return to Kentucky. Please communicate leave to him to pass your lines and come to me here at Washington.*

A. LINCOLN.

NEW YORK, *January 5, 1865.*

Brig. Gen. W. N. R. BEALL, *75 Murray Street:*

GENERAL: If you will be kind enough to be ready at your office at 1 o'clock this afternoon I will call for you with a carriage. We can go thence to your quarters for your baggage. The tug will lie near the Battery. I beg that you will be ready at the time because the morning is fair and a landing can be easily made at the fort.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., January 5, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to state that I forwarded from these headquarters December 1, 1864, a requisition for clothing for issue to prisoners of war. About December 7 we received a quantity of clothing, partly filling the requisition, which was issued to prisoners. December 12 we received a communication from Brig. Gen. H. E. Paine, U. S. Volunteers, inclosing communication from Brigadier-General Beall, agent for rebel authorities, addressed to prisoners of war at this depot, notifying them of an arrangement between the United States Government and rebel authorities, by which each was to supply its own prisoners with necessary supplies, and requesting the prisoners to select three officers to receive and issue to them the supplies on their arrival. This request was complied with and report forwarded through General Paine December 17. December 14 we received a communication from your office advising us of the fact that, by a mutual agreement between the United States Government and rebel authorities, a large amount of

* For other correspondence in relation to the arrest and banishment of Jacob see Series I, Vol. XLV, Part II, pp. 387, 402, 504.

cotton had been shipped for New York to be sold, the proceeds to be applied to the purchase of clothing for prisoners of war, and that in view of this fact it was not deemed advisable to provide any more clothing for prisoners than was absolutely demanded by the ordinary dictates of humanity. December 18 we received a communication from your office directing that, in pursuance of the arrangement between the United States and rebel authorities, commanding officers of military prisons will afford every necessary and proper facility for the purpose upon the request of Brigadier-General Paine. We have heard nothing further in relation to the subject since. A number of prisoners will soon be destitute of trousers and other articles of clothing. There are still due upon requisition of December 1 1,000 jackets, 2,500 shirts, 3,000 pair trousers, 8,000 drawers, 4,000 bootees, 7,000 socks, 1,500 caps, and I would respectfully request that these amounts of jackets, trousers, shirts, bootees, socks, caps, and 4,000 pair of drawers be furnished immediately for issue to prisoners, unless the Department is advised that supplies will be speedily forwarded by the rebel authorities.

I am, general, very respectfully, your obedient servant,

B. F. TRACY,

Colonel 127th U. S. Colored Troops, Commanding Depot.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 7, 1865.

Respectfully referred to the Quartermaster-General and attention invited to the statement of commanding officer of the prison camp at Elmira, N. Y. The delay in the arrival of rebel cotton renders it necessary to issue clothing to prisoners of war in our hands during the inclemency of winter.

H. W. WESSELLS,

Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
January 11, 1865.

Respectfully returned to Brigadier-General Wessells with information that the requisition referred to within was not received at this office, and with request that, if approved, he will make requisition on this office for such articles as in his opinion should be sent to the prisoners of war at Elmira.

By order of Quartermaster-General:

ALEX. J. PERRY,

Colonel, Quartermaster's Department.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 5, 1865.

Col. B. F. TRACY,

Commanding Depot Prisoners of War, Elmira, N. Y.:

COLONEL: I am directed by the Commissary-General of Prisoners to acknowledge the receipt of your inspection report for the week ending December 25, 1864, and to inform you that if cases of smallpox continue to multiply you are authorized, after consultation with the proper

medical authorities, to put up temporary buildings for the isolation of that class of patients. Place it within the inclosure, if practicable, but if circumstances require it to be established outside it should be suitably guarded.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS
WEST OF THE MISSISSIPPI,
Nashville, Tenn., January 5, 1865.

Brig. Gen. H. W. WESSELLS,
Com. Gen. of Prisoners East of the Mississippi, Washington, D. C.:

GENERAL: The rebel wounded prisoners in the hospitals at this place and at Franklin are much in want of clothing suitable for sick men, and if it is thought advisable to consider their wants so far, I would suggest that General Beall be notified accordingly. In the belief that arrangements for the supplying of clothing to rebel prisoners in our hands by the rebel authorities have been completed, and in pursuance of what I understand to be the views of the Secretary of War, I have directed that no clothing, including blankets, shall be issued to prisoners forwarded from this city since my arrival.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen. and Com. Gen. of Prisoners West of the Miss.

OFFICE PROVOST-MARSHAL-GENERAL OF EAST TENN.,
Knoxville, Tenn., January 5, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange of Prisoners, Washington, D. C.:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 23d ultimo in regard to the arrangements entered into between the rebel General Vaughn and myself for the exchange and release of citizen prisoners from East Tennessee. The fifth article was intended, as you supposed, simply as a local agreement confined to East Tennessee in its operations, and not as a political, national act. I considered it to be in keeping with the letter and spirit of the President's amnesty proclamation, as the rebel sympathizers to be affected by it (those who voluntarily abandoned their homes in East Tennessee) are simply permitted to return to them and remain so long as they conduct themselves peaceably and comply with the requirements of the authorities, one of which is (if they would secure protection) to take in good faith, for the purpose of restoring peace and establishing the national authority, the amnesty oath of the 8th of December, 1863. It was expressly stated in conversation with General Vaughn and fully understood, that the United States Government would not suspend action in cases where parties were indicted for treason, nor was our agreement to interfere with any trials pending in the civil courts. Many of our friends, from fear of arrest and maltreatment by the rebel troops, have been in the habit of leaving their homes and of seeking protection within our lines on every retrograde movement of our forces. It is desirable to secure to them, if possible, immunity from arrest in

the event their homes are, by military necessity, left unprotected by our troops. And while I must confess I place but little faith in rebel pledges, I deemed it a duty to do all I could for the protection of our loyal citizens from rebel annoyances. Hence the adoption of the fifth article. I should be glad to know if, from your experience with the rebel authorities in the matter of exchanges, you think it will be safe for me to send the hostages now held at the North to the rebel lines immediately after their arrival at Knoxville, or should they be kept here until the rebels comply with their part of the agreement by delivering the Union prisoners at our lines? While I desire to be careful not to violate any part of the obligation for which I pledged the faith of our authorities, nor give the rebels the slightest pretext for failing to release the Union citizens from East Tennessee held by them, I do not wish to act otherwise than in strict compliance with the rules you have found it necessary to adopt in exchanging prisoners unless I have the sanction of the Government in so doing. General Vaughn stated that he supposed that the citizens held by the rebels would reach our lines about the middle of December, but to this date I have heard nothing of them. It may be that the destruction of the Virginia and East Tennessee Railroad in the recent raid of General Stoneman has caused delay in delivering them. I will at least hope so, although I cannot but entertain some fears that they will fail to comply strictly with the agreement. I would suggest that Captain Battle be continued in close confinement and in irons at Fort Delaware until Captain Harris is either released or it is certainly known he will be. When Captain Harris was last heard from, about 1st of December, 1864, he was still at Columbia, S. C., and in irons.

I am, general, respectfully, your obedient servant,

S. P. CARTER,

Brig. Gen. and Provost-Marshal-General of East Tennessee.

HEADQUARTERS 111TH U. S. COLORED INFANTRY,
Nashville, Tenn., January 5, 1865.

Maj. Gen. B. F. BUTLER,
Commanding Department of East Virginia:

SIR: I have the honor to inform you that I have in my possession a copy of the Mobile Advertiser and Register of October, 1864, which contains a printed order from D. H. Maury, major-general, C. S. Army, giving the names of about 570 of our colored soldiers who belong to the One hundred and sixth, One hundred and tenth, and One hundred and eleventh U. S. Colored Infantry Regiments, and notifying the former owners of said soldiers that they were at that time employed by the engineer department at Mobile, Ala., and for the owners to report and receive the pay due for the soldiers' services. If you desire me to send you the paper which contains the order, or a copy of the order, I will do so.

Very respectfully, your obedient servant,

O. O. POPPLETON,

Lieutenant and Acting Adjutant, 111th U. S. Colored Infantry.

[Indorsement.]

Respectfully forwarded to Major-General Hitchcock, commissioner of exchange of prisoners.

BENJ. F. BUTLER,
Major-General.

[Inclosure.]

CIRCULAR.] HEADQUARTERS DISTRICT OF THE GULF,
Mobile, October 15, 1864.

The following-named negroes are employed by engineer corps at Mobile, Ala. The owners are notified in order to receive the pay due them. * * *

"The names of 575 men and of their alleged owners, with residences of the latter, are entered in this order."

* * * * * * *

By command of Maj. Gen. D. H. Maury:

GEORGE G. GARNER,
Chief of Staff.

U. S. IRON-CLAD CHICKASAW,
Off Mobile, January 5, 1865.

[Maj. JAMES E. MONTGOMERY:]

MAJOR: Your communication of yesterday is just received, 5 p. m. The delay in sending the cotton through the obstructions has been explained by the authorities at Mobile to the senior naval officer here at two different times by flag of truce. The first time, under date of December 29 ultimo, he stated that the wind (a violent norther) had so lowered the water that the vessel on which the cotton was loaded could not go through the obstructions, and that as soon as high water returned he should send out the cotton. Yesterday another communication was received from General Maury stating that the vessel on which the cotton was loaded had got aground, and that if she was not got off very soon the cotton would be transferred to another vessel and carried through the obstructions and delivered in accordance with the stipulations. General Maury stated his regret at the delay, and the naval officers here have no doubt that the reasons stated by General Maury are true. There is a high tide this p. m., and the naval officers here state to me their belief that the rebel steamer will be got off, as we can see her plainly, and heavy clouds of smoke indicate a vigorous attempt to get her off.

So far as I can judge, I have no doubt that the delay has been unavoidable on the part of the rebel authorities, and that they are as anxious to get out the cotton as I am to have them.

The communication from the major-general regarding the horse taken from Sand Island has been received, and the directions therein contained shall be complied with, as well as the matter in New York written me about by him.

I shall be prompt in keeping you informed of my progress.

Very respectfully, major, your obedient servant,

FRANK G. NOYES,
Captain and Commissary of Subsistence.

NEW YORK, *January 5, 1865.*

Col. ROBERT OULD, *Agent of Exchange, Richmond, Va.:*

COLONEL: I have the honor to state that by direction of the Secretary of War my parole has been suspended and I am to be placed in Fort Lafayette as a prisoner of war till the arrival of the cotton from Mobile, when my parole will be renewed and I will enter upon the business as agreed upon between General Grant and you. I feel confident

that I have done no act inconsistent with my parole and instructions that could place me in this position. I have asked of the United States an investigation.

I am, colonel, very respectfully, your obedient servant,

WM. N. R. BEALL.

Brig. Gen., Prov. Army, C. S., Agent to Supply Prisoners of War.

[Indorsement.]

Submitted to Secretary of War, who directed it to be placed on file January 20, 1865.

H. W. HALLECK,
Major-General and Chief of Staff.

POST-OFFICE DEPARTMENT, *Washington, January 6, 1865.*

HIS EXCELLENCY THE PRESIDENT, *Washington:*

In the case of my brother I respectfully apply to Your Excellency for the pardon of certain individuals on Johnson's Island, sentenced to death by a military commission and reprieved by Your Excellency. My principal argument is that no harm could possibly arise from their pardon to the cause of the Union; while on the other hand it would save the lives of four brave Union officers who have suffered more in Southern dungeons than any other prisoners, and who are now kept in subterranean cells. The argument against such an exercise of Executive clemency might be the following, that "Our Government should not allow the rebels to prevent its exercise of the belligerent right to punish spies by taking hostages for them." To this I answer that there is no danger that the rebels will make it a practice to prevent the execution of spies by selecting hostages for them from among our prisoners. Spies were arrested and punished by us before and after the case now in question without any attempt on the part of the rebels to prevent it. It is not a principle which the rebels want to assert—it is a mere personal matter. They took the hostages to whom I refer only in a particular case and to benefit particular individuals for whom powerful Southern influences were at work; and the experiment has not been repeated in subsequent cases, nor is it likely to be repeated again as the war will soon be brought to a close.

In case objections should occur to Your Excellency to the granting of my application, I ask to be heard before you arrive at a final decision, and would respectfully request Your Excellency to appoint a day and hour when it will be convenient to hear me.

I have the honor to remain, your obedient servant,

F. HASSAUREK.

Names of individuals referred to: George P. Simms, William S. Burgess, John Marr, Thomas M. Campbell, H. P. Esteph, John C. Shore, most of them belonging to the Second Independent Kentucky Regiment.

WASHINGTON, *January 7, 1865.*

Remarks in reference to the note of Mr. Hassaurek, of yesterday's date, touching the case of Lieutenant Markbreit:

The rebels claim the State of Kentucky as included in the "Confederate States," and they have attempted to send rebel officers into that State to recruit for the rebel army. Men were also employed in various parts of the State, endeavoring to raise companies of which they

were to be the officers, under promises from the rebel authorities. They were thus within the State in the rear of the Union armies, some being even at Maysville, on the Ohio River. They were acting secretly and were not in the dress of recognized rebels; they were therefore proper subjects for arrest and trial as spies. General Burnside caused two of this class of persons, after due trial and conviction, to be executed. Several others were duly tried and sentenced to death, but the sentences were commuted and the offenders were sent to Johnson's Island as prisoners of war.

The rebel authorities asserted their rights in Kentucky and endeavored to throw the protection of the rebel Government over this class of persons. To this end they placed Captains Sawyer and Flinn in cell confinement, under orders for execution in retaliation for the proceedings of General Burnside. At that time we held a son of Robert E. Lee as a captive, having the rank of a brigadier-general; and that officer, with one other of inferior rank, was set apart at Fort Monroe with orders to the commanding officer to execute them in case Sawyer and Flinn were put to death. This checked the proceedings at Richmond, and after some little time Sawyer and Flinn were exchanged for officers of like grade, and Lee was exchanged for Brigadier-General Dow.

But the rebels did not relinquish their attempt or assumed right to recruit in Kentucky. Sawyer and Flinn being exchanged, they put other Union officers in cell confinement to enforce their claim to have "spies," as we call them, treated as ordinary prisoners of war, giving us formal notice, by letter, of their claim in this respect.

If this claim shall be recognized, or in any manner acceded to, we may expect to find rebel officers more or less openly recruiting for the rebel army in Kentucky; the only penalty in that case, if captured, being that attending an ordinary capture of a prisoner of war.

When Mr. Ould gave the formal notice referred to we were informed that to enforce it other Union officers had been placed in cell confinement in Richmond as hostages for the release of two rebels, one of whom was named Waller. These two—a concession to the rebel claim—were placed on a footing with captured officers.

But this did not stop the attempt to assert the right to recruit in Kentucky. Other military criminals fell under the sentences of commissions and are now held at Johnson's Island; and these are the parties whom the rebels are now endeavoring to protect by the cell confinement of Lieutenant Markbreit and others, and the question now seems to be, Shall the Government allow the rebels to make good their pretensions by acquiescing in their demand for the release of the officers in question through the means they employ—that of cell confinement of certain Union officers, of which Lieutenant Markbreit is one?

The undersigned desires only to present the question as it appears to him, and respectfully submits it.

E. A. HITCHCOCK,
Major-General of Volunteers, Commissioner of Exchange.

—

WASHINGTON, *September 17, 1864.*

His Excellency ABRAHAM LINCOLN,
President of the United States:

I take the liberty of applying to you for the exchange of my brother, who is actually being starved to death at Richmond, where he is kept

in close confinement as a hostage for some rebel prisoner on Johnson's Island. His name is Leopold Markbreit (being my half-brother). He was General Averell's acting assistant adjutant-general, and originally belonged to the Twenty-eighth Ohio Volunteers. He was taken last November at Salem, W. Va., and has been kept in close confinement for the last four months. Prompt action alone can save his life, as the subjoined extract from his last letter (dated July 10) will show.

I implore Your Excellency to effect his immediate release in the name of humanity and of justice.

Your most obedient servant,

F. HASSAUREK.

LOWER CELL, LIBBY PRISON, *Richmond, July 10, 1864.*

* * * My situation could not be worse. I have become so weak and broken down from close confinement and want of food that I can hardly walk. Our rations daily consist of one-half pound of corn bread, one-half pound of boiled beans, and about two or three ounces of bacon. This is what the commissary says our rations weigh, but judging from the quantity we actually receive I doubt whether it weighs that much. You can judge how much we get when I assure you that we eat every morsel as soon as we receive our rations and go hungry the balance of the twenty-four hours. I cannot say how long we shall be able to live on such rations, but I am confident that we cannot stand it much longer. I am becoming both blind and deaf. My eyes are very much inflamed, and my sense of hearing is getting worse every day. * * *

[Indorsement.]

SEPTEMBER 19, 1864.

The writer of this, who appeals for his brother, is our minister to Ecuador, and whom, if at all compatible, I would like to have obliged by a special exchange of his brother.

A. LINCOLN.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 6, 1865.

Bvt. Brig. Gen. JAMES BARNES,
Commanding District of Saint Mary's, Point Lookout, Md.:

GENERAL: I have the honor, by direction of the Commissary-General of Prisoners, to acknowledge the receipt of inspection report of the condition of prisoners of war at Point Lookout, Md., for the week ending December 31, 1864, and request that if in your opinion a portion of the tents are unfit for further use you will cause them to be inspected in the usual manner and submit the report to this office, with such suggestions as you may deem proper to make. If the prisoners are suffering for want of necessary clothing, make a requisition for present wants and it will be submitted to the Quartermaster-General. It is hoped that the rebel authorities will be able to procure clothing for their men in our hands at an early day from the proceeds of a cargo of cotton said to have been shipped from Mobile with that object.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 6, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: Brigadier-General Beall, C. S. Army, was turned over to me as a prisoner last night by Brigadier-General Paine, U. S. Army, by order of Major-General Halleck, U. S. Army. Shall I restrict him to the actual rations of prisoners of war like all the rest, or shall I allow him to make purchases for his own use, as he appears to be off parole only until the cotton arrives?

Very respectfully, your obedient servant,
MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 10, 1865.

Respectfully submitted to the Secretary of War for consideration.
H. W. WESSELLS,
Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

[Second indorsement.]

WAR DEPARTMENT, *January 12, 1865.*

Returned to the Commissary-General of Prisoners.
General Beall is to be treated precisely like any other prisoner of war.
By order of the Secretary of War:
C. A. DANA,
Assistant Secretary of War.

HEADQUARTERS FORREST'S CAVALRY CORPS,
In the Field, January 6, 1865.

Major-General DANA,
Commanding U. S. Forces, Memphis, Tenn.:

GENERAL: I have the honor herewith to transmit copies of communications between Major-General Rousseau and myself relative to an exchange of prisoners.* The arrangement or agreement failed on account of the defeat of our army at Nashville, and about 1,600 Federal prisoners captured by the cavalry of my command still remain in my possession. Accompanying his written communication I received a verbal message from Major-General Rousseau through Captain McConnell, of his staff, requesting "that Lieutenant-Colonel Grass, of the Sixty-first Illinois, be treated as kindly as circumstances would permit, as he was a high-toned gentleman, a brave soldier, and a magnanimous foe." Since his capture Colonel Grass has remained at my headquarters, and is now released upon parole and accompanies my adjutant-general, Maj. J. P. Strange, to Memphis under a flag of truce with these dispatches, for the purpose of effecting an exchange for Col. E. W. Rucker, of my command, who was captured and wounded during the recent engagement in front of Nashville. You are no doubt aware also of an agreement made between Major-General Washburn and myself for

* See Forrest to Rousseau and Rousseau to Forrest, December 16, 1864, Vol. VII, this series, p. 1233.

exchanging prisoners, which has been approved by General Hood and by Lieutenant-General Taylor, commanding this department, and under which a number of exchanges, both special and general, have been made. I am still willing to continue that arrangement; also to meet the expressed wishes of Major-General Rousseau in regard to Colonel Grass, by sending him on his parole of honor (a copy of which is herewith inclosed)* to effect an exchange for Colonel Rucker. My adjutant-general, Major Strange, is fully authorized to arrange for any further exchange of prisoners, man for man, rank for rank. And believing it to be the duty of every government to relieve their faithful soldiers, whether sick, wounded, or in prison, I shall, so long as permitted to do so, hold myself in readiness to exchange, as far as in my power to do so, all Federal prisoners falling into my hands for those of my own command first, and then for any others belonging to the C. S. Army in the hands of the enemy. Quite a number of your men recently captured are without sufficient clothing, shoes, and blankets. Should you desire to supply them with any articles necessary to their comfort, I will see that they are safely transmitted and issued to those of your army who most need them.

Assuring you of my desire, as far as practicable, to mitigate human suffering and lessen the privations of the soldiers,†

I am, general, very respectfully, &c.,

N. B. FORREST,
Major-General.

Statement of grade and equivalents of prisoners delivered to Maj. James R. Curell, C. S. agent of exchange in Mobile Bay, Ala., from the garrison of Fort Gaines, January 6, 1865.

Rank.	Number.	Equivalent.	Total.
Colonel	1	15	15
Major	1	8	8
Captains	8	6	48
Lieutenants	27	4	108
Non-commissioned officers	87	2	174
Privates	473	1	473
Total			826

HDQRS. U. S. FORCES, JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, January 6, 1865.

Col. CHARLES W. HILL, *Commanding Post:*

The following table shows the average number of prisoners of war present at this post during the time herein mentioned:

May 8 to 31, 1864, 23 days	2,109
June, 1864, 30 days	2,200
July 1 to 12, 1864, 12 days	2,488
* * * * * * *	
August 13 to 30, 1864, 18 days	2,543
September, 1864, 30 days	2,628

*Not found.

†See Dana to Forrest, January 12, 1865, Series I, Vol. XLVIII, Part I, p. 498.

October, 1864, 31 days	2,609
November, 1864, 30 days	2,697
December, 1864, 31 days	2,989

It is certified that the above is a correct report, as taken from the records at these headquarters.

J. F. HUNTINGTON,
Captain and Acting Assistant Adjutant-General.

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 6, 1865.

Brig. Gen. W. M. GARDNER, *Richmond, Va.:*

GENERAL: The letter of Lieut. Col. Robert C. Smith, of December 26, 1864, with your indorsement, has this day been received. I fear it will be impossible to get what he calls old regular troops. The same difficulty occurs at all the prisons, and if we can get reserves, or any other troops, we must be satisfied and do the best we can with them. I regret to see the spirit of discontent manifested in the letter. Lieutenant-Colonel Smith, because he cannot get what he wants, asks to be relieved from the command, and that some one be ordered to relieve him who ranks Colonel Henry. General Orders, No. 84, provide for all difficulties arising from the officer in command of troops ranking the officer commanding the prisoners. You will please call attention to that order, and direct both Colonel Henry and Lieutenant-Colonel Smith to govern themselves by it. The want of provisions is a serious matter, which will, I think, require the removal of the prisoners from Danville. I have now a communication before the Department which I am in daily expectation to hear from. As soon as I do I shall then be prepared to take the necessary steps to remove the prisoners if necessary.

In the meantime inform Lieutenant-Colonel Smith that I cannot apply to have him relieved from this command. He must do as other commanders of prisons have done and are still doing; that is, to make the best use he can of the means at his command. Relieving him would not remedy the evil; it would only throw it on somebody else.

Respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

RICHMOND, *January 7, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Some time ago Johnson S. Palmer, an inoffensive citizen of Loudoun County, Va., was tried by some sort of a Federal tribunal and sentenced to the penitentiary at Albany. Mr. Palmer's offense, it seems, was that he carried cattle and other articles from his county to Richmond for sale. I now notify you that one Charles Thompson, who for some time past has been a citizen prisoner, has this day been put in the penitentiary at Richmond in retaliation. When Mr. Palmer is released Mr. Thompson will be discharged.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, VA., *January 7, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I have learned from a friend of mine that Miss Amelia B. Murphy, daughter of another friend, is now in Fort McHenry, held as a spy. It seems that the young lady obtained from General Sheridan a pass and a parole to go to Jefferson County, in this State. The provost-marshal at Duffield Station, on the Baltimore and Ohio Railroad, informed Miss Murphy that the pass would allow her to go to any place within the Federal Army lines. Acting upon this, it appears, she went as far as Frederick City, Md. She was arrested somewhere in that neighborhood. Her purpose was simply to purchase some clothing, of which she stood very much in need. I am as sure of this as I am of anything in this world. The idea of acting the part of a spy never entered into her head. I am so fully satisfied that injustice is being done to this young lady by her imprisonment that I have thus earnestly brought the matter to your attention. I sincerely trust that you will without delay make such representations to your authorities as will secure her release.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

WASHINGTON, D. C., *January 7, 1865.*

Lieut. Gen. U. S. GRANT, *General-in-Chief U. S. Army:*

SIR: I have the honor to inclose with this, by the direction of the President, certain papers, numbered from 1 to 18 inclusive, in relation to several officers, including Lieutenant Markbreit.* Among these papers there is one (No. 6) containing the copy of an indorsement by Mr. Ould, proposing a certain measure, the character of which will be seen by reference to it. That proposition was submitted to the Secretary of War and was by him approved, which approval I communicated to Lieutenant-Colonel Mulford, since which no official communication has been made to me on the subject.

It is known, however, that the arrangement did not take effect. Lieutenant Markbreit is step-brother to Mr. Hassaurek, our minister to Ecuador, and Mr. Hassaurek is interested in his case.

The President has directed me to place these papers in his hands, to be by him submitted to yourself, and I am further directed by His Excellency to advise you that it is his desire that you would examine the subject to which they refer; or, to use his own language, he desires you to reconsider the matter and give such orders as in your judgment may be suitable and proper.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Volunteers.

P. S.—The papers inclosed with this belong to the War Office and to my own office, and I respectfully request their return by the hands of Mr. Hassaurek if convenient.

Respectfully,

E. A. HITCHCOCK,
Major-General of Volunteers.

*List of papers referred to, with references: 1. Goff to Willey, May 16, 1864; 2. Van Winkle to Lincoln, August 2, 1864; 3. Hitchcock to Hoffman, June 11, 1864; 4. Hitchcock to Butler, August 19, 1864; 5. Hitchcock to Hoffman, August 19, 1864;

HEADQUARTERS FORT WARREN,
Boston Harbor, January 7, 1865.

Maj. A. A. GIBSON, *Commanding Fort Warren:*

SIR: I have the honor to submit the following inspection report of the condition of prisoners of war at this station for the week ending Saturday, January 7, 1865:

Conduct—orderly. Cleanliness—satisfactory. Clothing—in as good order as the limited allowance will permit. Bedding—generally in good order. State of quarters—neat and clean. State of mess-houses—well conducted. State of kitchen—clean and well conducted. Food, quality of—good. Food, quantity of—the full allowance. Water—good. Sinks—in good order. Police of grounds—every morning. Drainage—good. Police of hospital—no special hospital for prisoners. Attendance of sick—regular. Hospital diet—good. General health of prisoners—good. Vigilance of guard—satisfactory.

Very respectfully, your obedient servant,

W. H. WOODMAN,
First Lieut., First Batt. Mass. Vol. Artillery, Inspecting Officer.

HEADQUARTERS MILITARY COMMANDER,
Louisville, Ky., January 7, 1865.

Capt. S. E. JONES,
Additional Aide-de-Camp and Asst. Com. Gen. Prisoners of War:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 7, 1865:

Conduct—good. Cleanliness—clean. Clothing—Confederate, good. Bedding—Government blankets. State of quarters—clean. State of mess-houses—clean. State of kitchen—clean. Food, quality of—good. Food, quantity of—full prison ration. Water—sufficient. Sinks—clean. Police of grounds—good. Drainage—sufficient. Police of hospital—good. Attendance of sick—Confederate nurses. Hospital diet—prison ration. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—I carefully inspected the military prison, prison hospital, and quarters occupied by the guards and found them clean and in good order with the exception of the quarters occupied by the guards. There is not a sufficient number of guards to keep the number of prisoners that are confined in prison safe, and would suggest, if consistent, to have a regiment raised for the purpose of guarding the different prisons at this post.

Very respectfully, your obedient servant,

L. B. FOLSOM,
101st Illinois Volunteer Infantry, Inspecting Officer.

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6. Mulford to Hitchcock, August 23, 1864; 7. Pavey to Trumbull, June 5, 1864; 8. Hitchcock to Hoffman, June 25, 1864; 9. Hoffman to Hitchcock, July 30, 1864; 10. Dickson to Chase, June 8, 1864; 11. Hitchcock to Butler, August 1, 1864; 12. Hitchcock to Mulford, September 3, 1864; 13. Hitchcock to Hoffman, September 3, 1864; 14. Butler to Stanton, September 18, 1864; 15. Hitchcock to Mulford, September 19, 1864; 16. Statement of Michael Hoare, December 5, 1864; 17. Indorsement of Wessells on Hoare, December 8, 1864; all in Vol. VII, this series, pp. 148, 522, 223, 615 (Nos. 4 and 5), 672, 197, 412, 512, 211, 519, 715, 714, 839, 842, 1190, 1191, respectively; 18. Hassaurek to the President, January 6, 1865, p. 28, *ante*.

[Indorsement.]

The guard at the prison cannot properly be said to be insufficient to guard securely the prisoners while in the prison. It is just that, and nothing more. It is insufficient to guard the prison and furnish details to send off with prisoners forwarded to other camps, and these latter have to be obtained as they can. From a conviction that all the men who could possibly be spared were needed in the field, I refrained from making requisition upon the department commander for additional guards, as authorized by Inspector and Commissary-General of Prisoners in his communication of December 13, 1864. Upon the 2d instant, believing that the season for active field operations in this department passed, I addressed the general commanding a letter on the subject, of which the inclosed paper (marked A) is a copy.* I fully concur in the suggestion of the inspecting officer, that the authorization of the raising of a regiment for this special service would be the surest method of providing against the evils that have been labored under during the past year.

While it is true that the clothing of the prisoners in prison on the day of inspection was good, as reported, it is also true that very many of the prisoners recently received at and forwarded from this prison were in a very destitute condition. No arrangements have been made for distributing any portion of the "Confederate fund" at this prison, and General Hoffman, Commissary-General Prisoners of War, having issued instructions in communications dated December 22 and 24, 1864, to issue no more clothing from the supply furnished by the United States Government, many prisoners must suffer severely.

All of which is respectfully referred to the Commissary-General of Prisoners.

STEPHEN E. JONES,
Captain and Additional Aide-de-Camp, Comdg. Military Prison.

HEADQUARTERS SHIP ISLAND, MISS.,
OFFICE ASSISTANT COMMISSARY OF PRISONERS,
January 7, 1865.

Col. E. W. HOLMSTEDT, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 7, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—straw. State of quarters—in good condition (tents). State of mess-houses—none. State of kitchen—good and clean. Food, quality of—good. Food, quantity of—plenty. Water—good. Sinks—in good condition. Police of grounds—well attended to. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—good. General health of prisoners—excellent. Vigilance of guard—good.

Remarks and suggestions.—Five hundred sets of clothing have been sent to this post from the military authorities in New Orleans for distribution to prisoners of war in confinement at this post. Blankets are needed very much.

Very respectfully, your obedient servant,

JOHN AHLEFELDT,
Lieutenant, Seventy-fourth U. S. Colored Infantry,
Assistant Commissary of Prisoners and Inspecting Officer.

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* Omitted.

HEADQUARTERS WEST'S BUILDINGS HOSPITAL,
Baltimore, Md., January 7, 1865.

Surg. A. CHAPEL, U. S. Volunteers, *Commanding Hospital:*

SIR: I have the honor to transmit the following inspection report of the condition of prisoners of war at this station for the week ending January 7, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient, requisition having been filled and received. Bedding—good. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—good. Food, quantity of—sufficient. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—excellent. Hospital diet—good. General health of prisoners—good as could be expected from the nature of their wounds and diseases. Vigilance of guard—good.

Very respectfully, your obedient servant,

HORATIO ROBERTS,
Second Lieut., Veteran Reserve Corps, and Inspecting Officer.

BRISTOL, R. I., *January 7, 1865.*

COMMISSARY-GENERAL U. S. ARMY, *Washington, D. C.:*

SIR: I hand you the inclosed slips from the New York Daily News of the 3d instant. I have resided the past year at Alton, Ill., and I know the prisoners there were well treated, and I have no doubt they were at Rock Island. This article and comments are intended to give aid and comfort to the enemies of the Government, and I felt you would be glad to know of the same.

Asking pardon if I have intruded on your valuable time,

I am, respectfully, yours, &c.,

A. J. BURBANK.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
January 11, 1865.

Respectfully referred to Brig. Gen. H. W. Wessells, Commissary-General of Prisoners, with the suggestion that if, after a full and careful investigation, there shall be found no foundation for such statements as are here inclosed, there should be made, for the eye of the public and over an official signature, a proper counter statement.

A. B. EATON,
Commissary-General of Subsistence.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 11, 1865.

Respectfully referred to Col. A. J. Johnson, commanding Rock Island, for remarks.

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS ROCK ISLAND BARRACKS,
Rock Island, Ill., January 18, 1865.

Respectfully returned to Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners, with the following remarks: The issues to prisoners of war at this depot have always been made in accordance with the various orders issued from the Bureau of the Commissary-General of Prisoners, and the most liberal construction has invariably been placed on those orders. When the rations to prisoners were reduced by Circular No. 2, June 1, 1864, I gave directions to the issuing commissary to weigh 100 pounds of bread to every 100 men, so that if the loaves should at any time be of short weight the prisoners would not be the sufferers by it. The issuing commissary, Captain Lawrence, of my regiment, is an upright and conscientious officer and perfectly reliable, so there cannot be the least doubt but the prisoners receive all that is allowed them by that circular. In regard to the issue of clothing, scarcely a day passes without from 20 to 100 being brought out to receive such articles as they are in need of, and the general appearance of the prisoners here gives the lie to all such statements, especially of starvation, as, generally speaking, a more robust set of men cannot be found. I regard the article in question as having its birth in this vicinity, as it bears on its face the finger marks of the editor of the copperhead paper, who, failing in his attempt to bring official notice to the article forwarded to you by Mr. Harris, Member of Congress, and in his desire to find fault with the Government and myself and to pander to the tastes of the disloyal, has taken the method of transporting it to Chicago, as coming from a Union, Christian lady of that city. The loyal press and the people of this section understand the matter, and it has been handled in a way not very flattering to the authors of such vile trash. If the suggestion of the Commissary-General of Subsistence should be adopted and an official contradiction made the strongest language may be used, with the perfect assurance that the facts in the case will bear it out.

A. J. JOHNSON,
Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

[Inclosure No. 1.]

STARVING PRISONERS OF WAR.

We have often received communications in regard to the treatment of prisoners of war confined in the several prisons of the North, but we have generally declined publishing them, because we were unwilling to believe that the cruelties they referred to could be practiced in a civilized land, and we concluded that the accounts so given were misrepresentations or exaggerations. But we are constrained to publish to-day a statement respecting the condition of Southern prisoners at Rock Island, Ill., revealing such inhumanity that we are sure the public will be startled, as we were, by the perusal. The details given are painful in the extreme, and we give them publicity because the character of the writer is such that we have not the slightest doubt that her representations are strictly true in every particular. By the language of the letter it will be perceived that the writer is a Unionist in sentiment. She is a lady of unquestionable veracity, great purity of character, and true Christian charity. We have no excuse for withholding the publication of facts that come to us from such a source, and we do

so in the hope that the condemnation of every true man and woman in the North will rebuke such a system of barbarity and induce those in authority to amend it.

[Inclosure No. 2.]

PRISONERS AT ROCK ISLAND—INHUMAN TREATMENT—THEY FEED ON DOGS AND RATS.*

[JANUARY 8, 1865.—For Foster to Halleck, asking for authority to send North the Confederate officers sent to the Department of the South for retaliation, and Halleck's reply (15th), see Series I, Vol. XLVII, Part II, pp. 27, 57.]

HEADQUARTERS MILITARY PRISON,
Elmira, N. Y., January 8, 1865.

Col. B. F. TRACY, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 8, 1865:

Conduct—very good. Cleanliness—fair. Clothing—good, some few exceptions; need pants and underclothing for those discharged from the smallpox hospital. Bedding—plenty and good. State of quarters—very clean. State of mess-houses—good. State of kitchen—good. Food, quality of—has been very good this week. Food, quantity of—abundant. Water—good. Sinks—need changing. Police of grounds—extra. Drainage—good. Police of hospital—better than last week. Attendance of sick—very good. Hospital diet—good. General health of prisoners—not much change since last report. Vigilance of guard—good.

Remarks and suggestions.—The convalescent wards should be repaired immediately, as they are not safe for men to work in. The last storm affected them very much. Ward 6 came near blowing down. Smallpox not on the increase so much as last week—126 cases, 10 deaths.

Very respectfully, your obedient servant,

WM. P. JORDAN,
Captain, Twenty-ninth Maine Veteran Vols., Inspecting Officer.

[Indorsement.]

I should have reported last week that all the prisoners are in barracks. Owing to the efficient means adopted by Doctor Stocker, surgeon in charge, to vaccinate the camp, we hope we have got control of this disease (the smallpox) and will be able to keep it within bounds. It is not on the increase.

Respectfully referred to the Commissary-General of Prisoners.

B. F. TRACY,
Colonel 127th U. S. Colored Troops, Commanding Depot.

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* For the newspaper clipping (here omitted) see duplicate, dated December 27, 1864, without Hitchcock's indorsement, Vol. VII, this series, p. 1284.

HEADQUARTERS FORT DELAWARE, DEL., *January 8, 1865.*

Brig. Gen. A. SCHOEPF, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 7, 1865:

Conduct—good. Cleanliness—good. Clothing—good, with few exceptions. Bedding—in accordance with allowance. State of quarters—clean and comfortable. State of mess-houses—in good condition. State of kitchen—in perfect order. Food, quality of—very good. Food, quantity of—sufficient. Water—good and sufficient. Sinks—clean. Police of grounds—well conducted. Drainage—very good. Police of hospital—well conducted. Attendance of sick—receive excellent care. Hospital diet—good and sufficient. General health of prisoners—about 6½ per cent. sick, sixteen deaths during the week. Vigilance of guard—good.

Very respectfully, your obedient servant,

GEO. W. AHL,

Captain, Acting Assistant Adjutant-General and Insp. Officer.

FORT LAFAYETTE, *New York Harbor, January 8, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *New York:*

GENERAL: I have the honor to state that, as the suspension of my parole by the Secretary of War will be by many persons thought to have been done on account of conduct on my part inconsistent with my parole and instructions, I most respectfully ask of you a close examination into all of my acts during my association with you from December 6, 1864, to January 5, 1865, when I was on parole as "Confederate agent to supply prisoners of war," under the late arrangement between Lieutenant-General Grant and Col. Robert Ould. I boarded at the Saint Nicholas Hotel for some days after reaching New York; then took rooms at the Saint Julian Hotel, and often took my meals at the New York Hotel. My place of business was at 75 Murray street, and I would refer you to responsible men at and near said places for information.

As my parole, given at Fort Warren, promised to return me to said place at the expiration of my duties, I will state that being much less comfortably quartered here than there, I will take it as a great favor if you will get me transferred to Fort Warren, if by any reason I should not have my parole renewed. The commanding officer, Col. M. Burke, and the other officers of the fort are kind and courteous, but the quarters are small and crowded and are so dark that it is difficult to read or write without the aid of a candle or lamp.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,

Brigadier-General, Provisional Army, C. S., Prisoner of War.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 8, 1865.

Lieut. Col. MARTIN BURKE,
Commanding Fort Lafayette, New York Harbor:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 8, 1865:

Conduct—very good. Cleanliness—generally very good. Clothing—good. Bedding—iron bedsteads, husk mattresses, blankets, sheets, and

pillows. State of quarters—very good. State of mess-houses—cleanly. State of kitchen—cleanly. Food, quality of—good. Food, quantity of—circular of June 6, 1864, complied with. Water—excellent (Croton). Sinks—cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post; prisoners very sick are sent to Fort Hamilton. Attendance of sick—Hospital Doctor Gibson attends to sick every morning. Hospital diet—none at post. General health of prisoners—very good. Vigilance of guard—guards vigilant; prisoners verified three times during the night.

Remarks and suggestions.—There are fifty-eight prisoners confined at this post, consisting of prisoners of war and state. Their treatment as regards quarters and exercise is excellent. Everything allowed by existing orders is furnished to them, and a good degree of satisfaction is expressed by them for the uniform excellence of their treatment.

Very respectfully, your obedient servant,

CHARLES STEELHAMMER,

First Lieut., Seventeenth U. S. Infty., Post Adjt. and Insp. Officer.

[Indorsement.]

Treatment, &c., in accordance with instructions received, is strictly adhered to.

Respectfully referred to the Commissary-General of Prisoners.

MARTIN BURKE,

Lieutenant-Colonel, U. S. Army, Commanding Fort Lafayette.

HEADQUARTERS SUPERINTENDENT OF PRISON,
Johnson's Island, Ohio, January 8, 1865.

Col. CHARLES W. HILL,
128th Ohio Vol. Infty., Comdg. U. S. Forces, Johnson's Island, Ohio:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 8, 1865:

Conduct—good. Cleanliness—good. Clothing—comfortable. Bedding—plenty of blankets, but little straw, and that old. State of quarters—fair. State of mess-houses—fair. State of kitchen—fair. Food, quality of—good. Food, quantity of—prisoners' ration. Water—lake water and good. Sinks—fair. Police of grounds—good. Drainage—good. Police of hospital—very good. Attendance of sick—good. Hospital diet—good and abundant. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,219; number in hospital, 46; number deaths since last report, 3. One death from smallpox, and one case of smallpox in pest-house. Prisoner Lieut. Amos C. Smith, Nineteenth Tennessee Infantry, has been in close confinement on low diet since November 17, 1864, for assisting a fellow-prisoner to escape. It is respectfully suggested that his punishment has been sufficiently severe, and that he be restored to his original status. Prisoner Col. Daniel R. Hundley, Thirty-first Alabama Infantry, made his escape January 2 and was captured January 6, 1865.

Very respectfully, your obedient servant,

E. A. SCOVILL,

Lieut. Col. 128th Ohio Vol. Infantry and Inspecting Officer.

[Indorsement.]

Lieutenant-Colonel Scovill omitted to mention the escape of Lieut. Rufus C. Jones, Ninth Alabama, on the 5th instant. That case, the

case of Colonel Hundley, Thirty-first Alabama, and Captain McKibbin, of the same regiment, are fully reported in a letter of this date herewith sent. I approve of the recommendation in regard to Lieutenant Smith, in close confinement for personating another prisoner at roll-call with a view to concealing his escape. The pest-house has been constructed in the prison yard as authorized, and every means taken inside and outside of the prison to prevent the spread of smallpox.

Respectfully referred to the Commissary-General of Prisoners.

CHAS. W. HILL,
Colonel 128th Regiment Ohio Vol. Infantry, Comdg. the Post.

[Inclosure.]

HDQRS. U. S. FORCES, JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, January 8, 1865.

Brig. Gen. H. W. WESSELLS,
Inspector and Com. Gen. of Prisoners, Washington, D. C.:

GENERAL: I have the honor to submit the following statement in relation to prisoners of war recently escaped from this post, the only successful escape since the 25th day of September last: On the 24th ultimo Capt. Robert McKibbin, or McGibben, escaped, probably about 9.30 in the morning; his absence was not discovered until the roll-call the next morning. On the 2d instant, immediately after the roll-call that morning, Col. Daniel R. Hundley, Thirty-first Alabama, escaped, but his absence was not known until the roll-call of the next morning. He was recaptured at Fremont, about twenty-five miles from here, on the afternoon of the 6th instant, and returned to the prison yesterday noon. The most vigorous and persistent efforts within my control were made not only to recapture these prisoners, but also to ascertain by what means they escaped and to prevent the recurrence of like incidents. Notwithstanding the formation of ice around us has deprived this place of its island characteristics, and knowing that the prisoners could now count upon crossing swamps, ponds, and streams everywhere with safety, and upon help from their copperhead friends in the country, thus inducing the most ingenious, determined, and unremitting efforts at escape, I still thought that, except by direct assault upon the guard in considerable numbers, no escape was practicable without the direct complicity or criminal negligence of some portion of the guard, and felt vexed and disgraced by these two escapes. The prisoners induced many to believe that McKibbin escaped when out upon the bay with a large party of prisoners after water, and that Hundley escaped from a burial party who had been out to the rebel grave-yard. I was not inclined to believe either statement, and was following up a careful investigation of the facts about noon of the 5th instant when I found cause to believe that another prisoner had escaped that morning about 9.30 o'clock. I immediately sent parties in pursuit to those points where I might hope to intercept him, not then knowing who he was, and ordered a muster of the prisoners and search for contraband articles and disguises. The muster and search was not concluded until about 4 p. m. of the 5th instant, and then it was discovered that Lieut. Rufus C. Jones, Ninth Alabama Infantry, had left since the morning roll-call of that day. I at once telegraphed to the proper points, sending descriptions there, and also to my pursuing parties, and I advertised the escape, offering a reward of $100. I append a copy of the advertisement. I offered a like reward in the case of Colonel Hundley. This reward offered for Jones occasioned the arrest of Hundley by a citizen at Fremont, who at first supposed him

to be Jones. Neither McKibbin nor Jones has been recaptured, and while there is scarcely any hope as to McKibbin, I feel pretty confident that I shall get Jones. I think I must have hedged him in unless he crossed the lake at the upper islands, where the ice has been practicable for footmen for nearly a week, but I doubt much if he would dare try that route. I rely much upon the stimulus of the little reward, with the other measures I have taken for his recapture. I have had repeated searches made in the prison for our uniform clothing and other contraband articles.

It appears that the Port Hudson prisoners of 1863 were allowed to take into the prison many garments of our military clothing. At each search the last season some articles of military clothing were found, and still a few more on the 5th instant. The prisoners had kept these articles secreted for disguises. I am now satisfied beyond all doubt that McKibbin, Hundley, and Jones all passed out dressed in our uniform with our roll-callers, and yet they could not have passed even with such aids if my orders to the gate-keepers to pass no one except under the immediate direction of an officer in the discharge of his duty, or where they themselves positively identified the person, who, in addition, must have the proper pass. Before these three cases, and without my knowledge or authority, the assistant superintendent of the prison, intending to aid the gate-keeper, had advised him to depend upon the uniform and customary equipments of the roll-callers. It was all meant well, but with a little dullness of the gate-keeper it produced bad results. Dress and trappings were noticed and personal identity scarcely regarded. I have relieved the gate-keeper, corrected the error of the assistant superintendent, and, as I trust, effectually stopped the leaks, so far as clandestine escapes are concerned, and everything has been done that can be, so far as I know, to secure the utmost vigilance of the guard; and though it is plain that these 3,000 and more of commissioned officers have intelligence, desperation, and strength enough temporarily to break our guard-line at any point, yet we fear no escape from such a cause. We are ready for them and their outside friends, whether they come from Canada or elsewhere, at any minute, day or night.

Since the 13th ultimo my officers and men have regularly turned in without undressing and will continue to do so until our locality becomes an island again.

I have the honor to be, general, very respectfully, your obedient servant,

CHAS. W. HILL,
Colonel, Commanding.

HDQRS. U. S. FORCES, JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, January 5, 1865.

Lieut. Rufus C. Jones, Ninth Alabama Infantry, prisoner of war, escaped from this post about 9 o'clock this morning. He is supposed to have been in the uniform worn by our soldiers, including the fatigue cap and light blue overcoat, and probably had other clothing under the military so that he could change at pleasure. It appears that he followed out the roll-callers and was passed as one of the party. He was about twenty-seven years of age, of light complexion, had dark hair, dark hazel eyes, and a scrofulous sore, or the marks of it, on left side of neck. As the island is surrounded by bare ice it was impossible to know what route he took, though he would probably try to reach Canada around the head of Lake Erie.

I will pay $100 reward for his capture and detention until I can get him. I desire the most active and efficient measures by provost-marshals and their subordinates, by officers and soldiers in the service, and by the civil police.

CHAS. W. HILL,
Colonel, Commanding.

HEADQUARTERS CAMP MORTON,
Indianapolis, Ind., January 8, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report o the condition of the prisoners of war at this station for the week ending January 7, 1865:

Conduct—very quiet; no attempts to escape. Cleanliness—good state. Clothing—good. Bedding—good. State of quarters—kept thoroughly policed. State of mess-houses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being in accordance to orders. Water—sufficient. Sinks—sufficient for the cold weather. Police of grounds—thorough. Drainage—complete. Police of hospital—thorough. Attendance of sick—good. Hospital diet—first class. General health of prisoners—good. Vigilance of guard—both officers and enlisted men have been very vigilant.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieut., Veteran Reserve Corps, and Inspecting Officer.

HEADQUARTERS CAMP DOUGLAS,
Chicago, Ill., January 8, 1865.

Col. B. J. SWEET, *Commanding Camp Douglas, Ill.:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 8, 1865:

Conduct—good. Cleanliness—good. Clothing—the majority are comfortably clothed. Bedding—many of the prisoners are destitute of beds of any kind. State of quarters—excellent. State of mess-houses—good. State of kitchen—excellent, perfectly clean. Food, quality of—sufficient to sustain life; good. Food, quantity of—barely sufficient in this climate. Water—plenty. Sinks—in good condition. Police of grounds—good. Drainage—good, considering the grounds. Police of hospital—fair. Attendance of sick—good. Hospital diet—good. General health of prisoners—fair. Vigilance of guard—good.

Remarks and suggestions.—I would earnestly recommend that the ration be increased, or that the sutler be allowed to sell flour and potatoes in limited quantities, under the direction of the commanding officer of the post. I am well satisfied from experience that if the sutler in the prison square was allowed to sell all articles enumerated and allowed to be sent by the friends of prisoners, as provided by General Orders, No. 299, Adjutant-General's Office, 1864, the Government would save largely in the cost of medicines. Antiscorbutics are indispensably necessary to save life. Cooking-stoves would be much cheaper to use in the kitchens than the Farmer boilers now there.

Very respectfully, your obedient servant,

E. R. P. SHURLY,
Captain, Eighth Regt. Vet. Reserve Corps, and Insp. Officer.

GENERAL ORDERS, } HDQRS. MIL. DIV. OF WEST MISSISSIPPI,
No. 5. } *New Orleans, La., January 8, 1865.*

1. All the officers and enlisted men, prisoners of war, who were delivered on parole to Col. Charles C. Dwight, agent of exchange for this military division, at Red River Landing, La., June 17, 1864, not heretofore exchanged, are hereby declared duly exchanged and will return to duty.

2. All the officers and enlisted men and employés of the quartermaster's department, prisoners of war, who were delivered on parole at Galveston, Tex., on the 12th and 19th days of December, 1864, respectively, are hereby declared duly exchanged and will return to duty.

3. The commanding general of the Defenses of New Orleans will cause all prisoners herein declared exchanged who are now in parole camp in this city to be sent to their several regiments and commands.

The quartermaster's department will furnish the necessary transportation.

By order of Maj. Gen. E. R. S. Canby:

C. T. CHRISTENSEN,
Lieutenant-Colonel and Assistant Adjutant-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 8, 1865.

Commodore J. S. PALMER,
Commanding West Gulf Blockading Squadron, New Orleans:

SIR: I have the honor to inform you that the officers and seamen of the U. S. Navy paroled at Camp Groce, Tex., December 15, 1864, and delivered on parole to Commander J. R. M. Mullany, U. S. Navy, at Galveston, Tex., December 19, 1864, have been duly exchanged by the delivery of equivalents at Mobile, Ala., on the 6th instant. The officers and seamen above referred to may therefore be at once returned to duty.

I am, sir, very respectfully, your obedient servant,

CHAS. C. DWIGHT,
Colonel and Agent of Exchange, Mil. Div. of West Mississippi.

RICHMOND, VA., *January 8, 1865.*

Lieut. Gen. U. S. GRANT:

SIR: Your note of the 3d instant was received yesterday. General Hayes and Colonel Weld will be given, as you suggest, such a parole as will enable them "to receive and distribute to the U. S. prisoners of war such articles of clothing and other necessaries as may be issued by the Government or contributed from other sources." I will be ready at any time you may designate to receive any supplies which you may send at Boulware's Wharf, on James River, and at Charleston Harbor. Those which are sent to James River will be distributed amongst the prisoners at Richmond, Danville, and Salisbury, and those received at Charleston will be forwarded to the other points where your prisoners are confined.

There are about 20,000 prisoners at the three places first named, and 25,000 farther south.

I will be obliged to you if you will give Major-General Trimble a parole similar to that given General Beall, in order that he may assist the latter in the discharge of his duties.

You can notify me through the lines when you will have the supplies at Boulware's Wharf, stating as nearly as you can the amount. I will thank you to give me a notice of a week or ten days as to supplies sent to Charleston.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[Indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., January 10, 1865.

Respectfully forwarded to the Secretary of War.

It will be seen from the within letter that the Confederate authorities have paroled General Hayes and Colonel Weld, the officers designated in General Orders, No. 299, as agents, &c. I have therefore to request that if General Trimble is objected to, some other Confederate officer be paroled at once and that I be furnished with the name of the officer so paroled.

U. S. GRANT,
Lieutenant-General.

EXECUTIVE MANSION, *Washington, January 9, 1865.*

Hon. SCHUYLER COLFAX,
Speaker of the House of Representatives:

SIR: I transmit herewith the letter of the Secretary of War, with accompanying report of the Adjutant-General, in reply to the resolution of the House of Representatives, dated December 7, 1864, requesting me "to communicate to the House the report made by Col. Thomas M. Key of an interview between himself and General Howell Cobb on the 14th [15th] day of June, 1862, on the banks of the Chickahominy, on the subject of the exchange of prisoners of war."

I am, sir, very respectfully, your obedient servant,

ABRAHAM LINCOLN.

[Inclosure.]

WAR DEPARTMENT, *Washington City, January 5, 1865.*

Mr. PRESIDENT:

I transmit herewith the report of the Adjutant-General giving an extract from a report made by Col. Thomas M. Key of an interview between himself and General Howell Cobb, on the banks of the Chickahominy, June 14 [15], 1862, called for by resolution of the House of Representatives, dated December 7, 1864, which was referred to me by the President. The extract contains all that relates to the subject of exchange. As the discourse with Howell Cobb on the subject of the existing contest was improper, it is believed that its publication would also be improper.

I am, sir, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[Sub-inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 5, 1865.

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: In compliance with your instructions in regard to "the report made by Col. Thomas M. Key of an interview between himself and General Howell Cobb on the 14th [15th] day of June, 1862, on the bank

of the Chickahominy, on the subject of the exchange of prisoners of war," called for by resolution of the House of Representatives, dated December 7, 1864, I have the honor to submit the annexed extract from the said report.* The residue of the paper consists of a report of what Mr. Key terms the drift of a discourse between himself and Howell Cobb upon "the subject of the existing contest," which, when the report was made, was disapproved by the Department in a letter, a copy of which is hereto attached.†

I am, sir, very respectfully, your most obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS U. S. FORCES,
Camp Chase, near Columbus, Ohio, January 9, 1865.

Brig. Gen. H. W. WESSELLS,
Insp. and Com. Gen. of Prisoners, Washington City, D. C.:

GENERAL: I have the honor to report that there are now confined at this post 7,700 prisoners of war, and I am advised by Brevet Brigadier-General Hoffman that from 2,000 to 3,000 more will be sent here immediately. I have made the necessary preparations to receive them and can accommodate 10,000 without extension of the prison inclosure. A large number of the recent arrivals are in need of clothing to protect them from actual suffering, many of them being on their arrival here barefooted. I have ordered them to be supplied with shoes and such articles of clothing as are absolutely necessary to prevent suffering in this inclement season, although I was notified by General Hoffman that they would be supplied by the Confederate agents. I inclose a copy‡ of the morning report of the post, and desire to call your attention to the actual strength of the garrison. You will perceive that the number of enlisted men for duty is but 650, and that number includes non-commissioned officers. The average daily detail for guard duty is about 200. So far we have had no difficulty, but the rapidly increasing disparity between the strength of the garrison and the number of prisoners has produced some uneasiness in my mind. I have therefore considered it my duty to lay these facts before you. The guards are armed with Remington revolvers in addition to their muskets (that is, the men actually on duty, having only 200 revolvers), which adds very much to their effective force. The Spencer rifle would be, in my opinion, much better for this service and greatly increase the effective force of the garrison. I made application to Major-General Hooker, commanding this department, for an increase of the garrison, which he has informed me has been approved and forwarded to the War Department.

I am, general, very respectfully, your obedient servant,

W. P. RICHARDSON,
Colonel Twenty-fifth Ohio Veteran Volunteer Infantry, Comdg.

HDQRS. OFFICE PROVOST-MARSHAL OF PRISONERS,
Rock Island Barracks, Ill., January 9, 1865.

Col. A. J. JOHNSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 9, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—

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*See foot-note, Series I, Vol. XI, Part I, p. 1053. †See *ibid.*, p. 1056. ‡Omitted.

none. State of quarters—very good. State of mess-houses—no mess-houses. State of kitchen—very good. Food, quality of—good. Food, quantity of—as per circular from Commissary-General of Prisoners. Water—good. Sinks—not good. Police of grounds—very good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—very good. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. P. CARAHER,

Lieutenant-Colonel Fourth Regiment Veteran Reserve Corps and Provost-Marshal of Prisoners, Inspecting Officer.

[Indorsement.]

The weather for the past week has been unusually fine. The improvements of the quartermaster's department regarding the sinks and water-works are near completion, and the latter part of the week will find them ready for use. The prison hospital has been visited by Dr. R. H. Coolidge, medical inspector, U. S. Army, during the past week. He reports it as in the most satisfactory condition, and that the sanitary condition of the prisoners is satisfactory, except in the gradual increase of smallpox since the first of the month. The accommodation for patients suffering with this terrible disease is good, and no fears are entertained but what it can be kept within bounds. The within report is concurred in.

Respectfully referred to the Commissary-General of Prisoners.

A. J. JOHNSON,

Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

HDQRS. COMR. ORGANIZATION U. S. COLORED TROOPS,
Nashville, Tenn., January 9, 1865.

Bvt. Col. C. W. FOSTER,
Assistant Adjutant-General, U. S. Volunteers, and Chief of Colored Bureau, Washington, D. C.:

COLONEL: I have the honor to forward a report of the capture and escape of George W. Fitch, regimental quartermaster Twelfth U. S. Colored Infantry; also the brutal murders of Captain Penfield, Forty-fourth U. S. Colored Infantry, and Lieutenant Cooke, Twelfth U. S. Colored Infantry, by a company of Forrest's command.*

I have the honor to be, colonel, respectfully, your obedient servant,

WM. INNES,

Maj. and Asst. to Commissioner Organization U. S. Colored Troops.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 9, 1865.

ANDREW B. CROSS, *Baltimore, Md.:*

SIR: I am directed by the Commissary-General of Prisoners to inform you, in reply to your letter of the 1st ultimo, that it will not be convenient, on account of the pressure of business at the present time, to answer all the inquiries which you make. A report as to the number

* See Fitch to Innes, January 3, p. 19.

of [deaths] among the prisoners has been called for from the three largest camps, with the following results: Johnson's Island, near Sandusky City, Ohio (chiefly officers)—number of prisoners since the early part of 1862, 7,377; number of deaths, 198. Fort Delaware, Del., since April, 1863—number of prisoners, 22,398; number of deaths, 1,926. Point Lookout, Md., since July 31, 1863—number of prisoners, 32,140; number of deaths, 1,532. These are three camps suggested in your letter and are a fair criterion of the others.

I am, sir, very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

SENATE, *January 9, 1865.*

A RESOLUTION providing for the appointment of a joint committee to investigate the condition and treatment of prisoners of war held by the Confederate and United States Governments.

Resolved (the House of Representatives concurring), That a committee of three on the part of the Senate and five on the part of the House of Representatives be appointed to investigate and report upon the condition and treatment of the prisoners of war respectively held by the Confederate and United States Governments, and also upon the causes of their detention and refusal to exchange, which said committee shall have authority to take testimony and send for persons and papers.*

Submitted by Mr. Watson, and ordered to be printed.

HEADQUARTERS MILITARY DIVISION OF THE WEST,
Montgomery, January 9, 1865.

Brig. Gen. JOHN H. WINDER,
Commissary-General of Prisoners:

GENERAL: General Beauregard desires that you will furnish Maj. J. M. Hottle, quartermaster, with thirty Federal prisoners to take out the torpedoes and shells in railroad cuts on the West Point and Atlanta Railroad. Major Hottle has been charged with the repair of that road.

I am, general, respectfully, your obedient servant,

GEO. WM. BRENT,
Colonel and Assistant Adjutant-General.

[First indorsement.]

COLUMBIA, S. C., *January 26, 1865.*

Respectfully referred to the Adjutant and Inspector General.

I don't think this is legitimate work for prisoners of war. I have therefore declined to furnish the prisoners asked for. I request to be informed if I have decided properly.

JNO. H. WINDER,
Brigadier-General.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 4, 1865.

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

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* For report of committee see March 3, p. 337.

[Third indorsement.]

FEBRUARY 6, 1865.

Approved, unless the prisoners be willing to do so.

J. A. CAMPBELL,
Assistant Secretary of War.

[Fourth indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 10, 1865.

Respectfully returned to General Beauregard, and his attention respectfully invited to the indorsement of the Secretary of War.

By command of the Secretary of War:

H. L. CLAY,
Assistant Adjutant-General.

[Fifth indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE WEST,
March 4, 1865.

Respectfully returned.

I admit that it is not "a legitimate work for prisoners of war" to employ them in the removal of torpedoes, except as a measure of retaliation. I recollect distinctly that Major-General McClellan claimed in his report that he had made prisoners of war, &c., move our torpedoes at Yorktown, and all the Federal letter writers allege that Major-General Sherman resorted to the same illegitimate measure at Fort McAllister. In view of this it was that I made the within requisition and legitimate act of retaliation.

G. T. BEAUREGARD,
General.

[Sixth indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
March 11, 1865.

Respectfully resubmitted to the Secretary of War.

Please see preceding indorsement.

H. L. CLAY,
Assistant Adjutant-General.

PRISONERS' BARRACKS,
Hilton Head, S. C., January 9, 1865.

Hon. JULIAN HARTRIDGE, *Richmond, Va.:*

MY DEAR SIR: You will see from where this is written that I am a prisoner of war, captured about a month since at my home by General Sherman's forces on their advance to Savannah. I reached this place about two weeks since with about 600 prisoners. With the officers I was sent to the prison on this island, where 200 Confederate officers are confined and upon retaliatory treatment. Having shared their privations, hardships, and sufferings for two months, I propose to give you, and through you to the authorities of the Government, somewhat in detail what we have been called to endure and what these 200 officers are still enduring. (Sherman's prisoners are now drawing better rations, in other respects the same treatment.) The prison bounds embrace about fifty square yards. Upon this stand two buildings, lightly weatherboarded, about seventy-five by twenty-four feet in size, one small kitchen, and fifteen tents. The remainder of the ground is

used for cooking place and exercise for about 260 men; about 100 of these are lodged on one floor of each of these buildings; remainder (privates) occupy the tents. Cells are arranged on both sides of these buildings, about seven by six feet, and are occupied by from four to nine officers. But one door opens to the buildings and no windows, consequently the larger portion of the building [is] too dark even at midday for either reading or writing. No fire is allowed in these buildings. At about 5 p. m. is roll-call, when the inmates are all locked in until 7 a. m. next morning. The cold here is severe. Once since my arrival water would be ice in a moment after it touched the floor. Many of these officers are in rags, scarce enough clothing to cover their nakedness. Many, well nigh shoeless, lay at nights upon a rough, naked board, and in some instances two cover with one blanket, with their hips covered with a rough, horny scab from their nightly contact with their bedless bunks. To avoid freezing to death when the weather is cold much of the night is spent running up and down the building to keep up the circulation. This is done by almost the entire prison. The daily allowance to each man is one pint of stale meal, about two spoonsful of which is husk and weevils, four ounces of bread, and one-fourth pint of pickles. Three camp-kettles are allowed to each prison as cooking utensils. One stick of green wood about eight feet long and eight inches in diameter for fuel. The cooking is done in the open yard by the prisoners. Old coffee pots, tin kettles, frying-pans—in a word, everything upon which a hoecake can be baked or in which water can be boiled is brought into requisition and used thus. Two or three of a mess pick up their bunch of chips, cup of meal, &c., select a place, open a hole in the sand, pile it around the edge to keep off the wind. Into this the chips are deposited, the fire applied, down drops an officer, his mouth near the coals, and blows until sufficient fire is kindled to prepare his mush or hoecake. From the scanty supply of provisions and wood only two meals are taken per day. It is not uncommon for officers to cut the wood for the hospital for the privilege of picking up and using the chips. I have seen a little piece of dirty grease carefully picked out of the sand, carefully cleaned and put away for use. So perfectly ravenous are the cravings of nature for meat by men thus circumstanced that every cat about the prison has been eaten, and rats are eaten as readily as a chicken would be at home. The officers and privates garrisoning the prison are kind and courteous, and although a portion of the troops are negroes, still we have no cause of complaint, as they confine themselves strictly to a performance of their duties. I write this letter by the consent of the provost-marshal of the department, who, whilst he enforces with fidelity the orders of his Government, is deeply anxious that Federal prisoners in Confederate prisons might be better treated, so as to bring about an amelioration of the Confederate prisoners both here and elsewhere. May I hear from you? Write via Charleston.

While I remain, as ever, your friend,

GEO. P. HARRISON.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 10, 1865.

Maj. Gen. H. W. HALLECK,
Chief of Staff of the Army, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt by mail of copy of your telegram of the 29th ultimo in relation to the shipment of certain

cotton from Mobile, the proceeds to be applied for the benefit of prisoners of war in our hands, and, referring to my dispatch of the 4th instant, to call your attention to the inclosed copy of report of Colonel Dwight, agent of exchange,* who has just returned from Mobile Bay, and who confirms the previous statement that the delay in the shipment of this cotton is solely the fault of the authorities at Mobile.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,
Major-General, Commanding.

HDQRS. TENTH RÉGIMENT VETERAN RESERVE CORPS,
Camp Fry, Washington, D. C., January 10, 1865.

Major BLAGDEN,
Assistant to Commissary-General of Prisoners, Washington, D. C.:

MAJOR: I have the honor to inclose herewith an extract from a letter written by John Brusnan, a rebel prisoner at Elmira, N. Y., to a sister of his residing near Baltimore, Md. Some time ago his friends represented to me that he (Brusnan) was loyal to the Union; that it was want of forethought placed him in the rebel ranks, and after being some time in the rebel service he repented his rashness, and on two occasions attempted to desert to the Union side. On this representation (which I have no doubt his friends believed to be true), and he being also a relative of mine, I wrote twice to the Commissary-General of Prisoners to effect his release, if possible, by the first of the new year, providing he would take the oath of allegiance. At present I am glad that he is not released; and further, I most respectfully request that no action will be taken on the letters which I have written in his behalf. Whether he has or has not taken the oath of allegiance it does not make much difference, as it is evident from the inclosed extract he is an incorrigible and an ungrateful rebel. In my humble opinion he deserves (instead of the rations he now complains of) to be kept on bread and water during his remaining term of confinement.

I am, very respectfully, your obedient servant,

P. E. O'CONNOR,
Lieutenant and Adjutant Tenth Veteran Reserve Corps.

P. S.—I call your attention to the fact that letters pass from the prison to outsiders without going through the proper channel.

P. E. O'C.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 11, 1865.

Respectfully referred to Col. B. F. Tracy, commanding Depot Prisoners of War, Elmira, N. Y., for his information. These papers to be returned.

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Inclosure.]

PRISONERS' CAMP, *Elmira, N. Y., December 30, 1864.*

MY DEAR SISTER: I take this opportunity of writing you a letter (which the Yankees will not see). I wrote you a few days ago acknowledging the receipt of the money. I will give you some idea of my

*See indorsement of Dwight, January 10, 1865, on Halleck to Canby, December 29, 1864, Vol. VII, this series, p. 1293.

situation. I would never have written to you for money, but I am almost starved to death. I only get two meals a day, breakfast and supper. For breakfast I get one-third of a pound of bread and a small piece of meat; for supper the same quantity of bread and not any meat, but a small plate of warm water called soup. I would never take that oath if I was not starved to do it. You know that without my telling you. When I came here this prison contained 10,000 prisoners, and they have all died except about 5,000. They are now dying at the rate of twenty-five a day. You know this is no place for me.

* * * * * * *

Your affectionate brother,

JOHN BRUSNAN.

OFFICE COMMISSARY OF PRISONERS,
Fort McHenry, Md., January 10, 1865.

Capt. J. G. RAMSAY,
Asst. Adjt. Gen., Second Separate Brigade, Eighth Army Corps:

SIR: Conformable with instructions herewith returned, I have the honor to report four commissioned officers, prisoners of war, held here for exchange or transfer. They are in close confinement, but not in irons, viz: Maj. H. F. Kendrick, Twenty-second Virginia Cavalry; Capt. J. W. Anderson, Twelfth Georgia Battalion; Capt. N. C. Beckley, Twenty-fifth Virginia Battalion; Second Lieut. O. R. Scott, First North Carolina Infantry. In addition there is held here for safe-keeping, in close confinement, but not in irons, one C. W. Barkley, a citizen, who claims to be a major of the rebel army.

I am, sir, very respectfully, your obedient servant,

GEORGE ATCHESON,
Lieut., Fourth U. S. Infantry, and Commissary of Prisoners.

Roll of prisoners of war at Fort Warren, Mass., in close confinement for plotting to escape.

First Asst. Engineer William Ahern, Master G. D. Bryan, Second Asst. Engineer J. B. Brown, Capt. Frank Battle, Asst. Surg. Thomas Emory, Master R. S. Floyd, Captain's Clerk W. D. Hough, Master T. T. Hunter, Lieut. Col. John Hamilton,[a] Capt. E. J. Patterson, First Lieut. T. K. Porter, Lieut. S. G. Stone, Midshipman G. T. Sinclair, Chief Engineer W. S. Thompson.

[Indorsement.]

HEADQUARTERS FORT WARREN, MASS.,
January 10, 1865.

Respectfully furnished to the Commissary-General of Prisoners in explanation of the telegram sent last evening in reply to the telegraphic inquiry of what prisoners (officers) are in close confinement and if any are in irons.

A. A. GIBSON,
Major, Third Artillery, Commanding.

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[a] Through this prisoner the plot to escape was made known. He is in confinement with the others at his own request to avoid suspicion.

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 10, 1865.

Col. G. C. GIBBS, *Commanding, &c., Andersonville, Ga.:*

COLONEL: The general commanding directs me to say that he has been informed that some prisoners from your post have been paroled and permitted to work at Oglethorpe, Ga. If this is so, you will order them in immediately. In future paroled prisoners will not be allowed to leave the post for work unless by special order from these headquarters.

Very respectfully, your obedient servant,

W. S. WINDER,
Assistant Adjutant-General.

[JANUARY 11, 1865.—For proceedings of military commission in the case of George St. Leger Grenfel *et al.*, tried for conspiracy to release rebel prisoners in Camp Douglas, at Chicago, and then burn said city, see Executive Document No. 50, House of Representatives, Thirty-ninth Congress, second session.]

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 11, 1865.

Capt. C. MORFIT, *Assistant Quartermaster, Richmond, Va.:*

CAPTAIN: Your letter of 24th of December, inclosing report of Commissioner Williams in regard to U. S. currency, has just been received. In reply I am directed by the general commanding to say that he will use every effort to accomplish the object desired by the Government and will render you every assistance in his power, but that the troops guarding the various prisons are so utterly worthless that it is impossible to prevent outsiders and even the soldiers from trading with the prisoners.

Respectfully, your obedient servant,

SAMUEL T. BAYLY,
Assistant Adjutant-General.

CAMP ASYLUM, C. S. PRISON, *January 11, 1865.*

Brig. Gen. JOHN H. WINDER, *Commissary-General of Prisoners:*

GENERAL: In accordance with your orders I hereby inclose all the papers and accounts current* relating to moneys of the prisoners in the hands of the different officers in charge of this prison before I took command, and the reports of Captain Martin, who was by Colonel Means placed in charge of these money matters.

Papers marked A relate to the first moneys received by Captain Martin. It seems that when Colonel Means took command these papers were handed to Captain Martin by Captain Mobley, who was the managing officer for Captain Semple. He asked for no receipt from Captain Martin, and none was given. The first paper, No. 1, is an account current of moneys received for Federal prisoners, September 29, 1864, by Maj. Motte A. Pringle, with his receipt thereon; and a certificate of H. W. Conner & Co., bankers, that the moneys had by them been converted into Confederate money, and the order so to convert it made by Major-General Jones, and to inform the prisoners of the sums to their credit,

*Not found as inclosures.

which was all forwarded to Captain Semple, as appears by the indorsement of Captain Gayer, provost-marshal of Charleston.

Paper No. 2 represents all the moneys in the account current which came to the hands of Captain Martin from Captain Mobley, most, if not all, of it counterfeit and worthless. Paper No. 3 is Captain Martin's report of his connection with the matter. Nothing is known by Captain Martin, or any officer now connected with the prison, what became of the other moneys stated in the account current, A, nor can we ascertain whether paid to the prisoners or not. It is proper to add that the certificate of Messrs. H. W. Conner & Co. that the extensions of money converted is correct is an error. Captain Martin assures me that the extensions are not correct.

The report of Captain Martin fully accounts for all money which came to his hands in account current No. 1 A.

Papers marked B are, No. 1, an account current of moneys received by flag of truce for Federal prisoners by Captain Warwick, October 1, 1864, and turned over to Maj. Motte A. Pringle as from his receipt thereon converted into Confederate money, by whose order does not appear on the paper. This account current was inclosed by Major Pringle to Colonel Means, then commanding the prison. And paper No. 2, and letters inclosed, being Captain Martin's report, shows that with this account current only a portion of the moneys were sent, namely, such as bills of exchange as could not be converted. What became of the moneys converted is not known at this prison. None of it has been paid to the prisoners. Captain Martin returns with his report all that came to his hands.

Papers marked C are, No. 1, an account current of moneys, draft, &c., for Federal prisoners of war, which were sent by the provost-marshal of Charleston to Lieutenant Colonel Means, commanding prison, and to him receipted for October 31, 1864; that is to say, all the sums which are checked off on said account were receipted for; the items in said account not checked Colonel Means would not receipt for because the prisoners were not in the prison. The unchecked amounts were returned to the provost-marshal, Captain Gayer, and it is understood were turned over to Captain Senn, commanding Richland Jail prison, the prisoners to whom they belonged being there. Paper No. 2 is the order of Lieutenant-General Hardee directing that the money be converted into Confederate money. Paper No. 3 is the evidence that it was so converted by the firm of Messrs. J. C. Martin & Co., under General Hardee's order. Paper No. 4 is Captain Martin's report, inclosing his vouchers, showing the moneys paid to the prisoners, and also inclosing the balance of the moneys unpaid, and sundry letters containing bills of exchange, which could not be converted. Also a statement of a balance in his hands of $1,750 belonging to prisoners exchanged, escaped, and dead.

This statement balances all the amount received by Captain Martin on account current C. I ought to add that there was also placed in Captain Martin's hands a fund for prisoners called the Potter fund. Lieutenant-General Hardee issued an order giving permission to a Mr. L. T. Potter to advance money to the prisoners for their drafts in the North. The whole fund was $50,000. It was paid out to the prisoners by Captain Martin under General Hardee's order, and there was left in his hands of this amount when I took command $17,850.50, which has all been paid over to Capt. J. S. Richardson, assistant quartermaster, and his receipt taken therefor.

Very respectfully, your obedient servant,

E. GRISWOLD,
Major, Commanding Prison.

WASHINGTON, D. C., *January 12, 1865.*

Lieutenant-General GRANT, *City Point:*

The Secretary of War (now absent) formerly refused to parole General Trimble, and probably would do so again. Perhaps it would be well to ask Mr. Ould to name some one else, or to permit General Beall to do so.

H. W. HALLECK,
Major-General and Chief of Staff.

HDQRS. DEPARTMENT OF THE CUMBERLAND,
MEDICAL DIRECTOR'S OFFICE,
January 12, 1865.

Bvt. Brig. Gen. W. HOFFMAN, U. S. Army,
Commissary-General of Prisoners:

SIR: The information you have received concerning the collecting together the wounded rebel prisoners at Columbia and Pulaski, Tenn., and to which you refer in the communication of the 2d instant, and which has been referred to me, is correct. In consequence of these towns being on the line of Hood's retreat, many of the prisoners who had been wounded at Franklin and were being carried to the rear were left there. These were augmented in number by the wounded brought in from the rear guard of the rebel army. As soon as it was learned that wounded rebels in any number were at Columbia and Pulaski Surg. O. Q. Herrick, superintendent of transportation of sick and wounded, was directed to have them removed to Nashville as soon as the railroad would be opened. On December 19, 1864, Surgeon Brinton, U. S. Volunteers, superintendent and director U. S. general hospitals at Nashville, was ordered by telegram to designate and set aside for the reception of the rebel wounded a hospital of capacity sufficient for the whole number, and directions were at the same time sent prohibiting the entrance of visitors. On the same day a telegram was sent to the superintendent of sick and wounded to scour the country from Brentwood Heights to Spring Hill and bring into Franklin and Nashville such as would bear transportation. On the 22d of December, 1864, Surgeon Herrick was telegraphed to remove to Nashville, as soon as the road would be opened, all the rebel wounded at Columbia, as well as to collect all from the surrounding country and bring them in. On the 28th ultimo Surgeon Herrick received similar instructions regarding the wounded rebels at Pulaski. On the 30th of December, 1864, Surgeon Brinton, superintendent of hospitals at Nashville, was directed to make use of such of the rebel surgeons as he might require in the treatment of the rebel wounded, being informed at the same time that, previous to putting them on duty, it was absolutely necessary for them to be put upon their written parole by the provost-marshal-general Department of the Cumberland. From all this it may be observed that everything was done in order to have the rebels properly cared for, both as sick men and prisoners of war. As soon as the Tennessee and Alabama Railroad shall be opened every wounded rebel in our possession whose life will not be endangered by so doing will be brought to Nashville, and not only those in the hospitals but those, too, who are scattered in the farm-houses through the country.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army, Medical Director.

IN THE FIELD, *January 12, 1865.*

Judge ROBERT OULD, *Agent of Exchange, C. S. Army:*

I have the honor to inform you that General Canby telegraphs to Washington that a steamship was sent to Mobile on the 16th ultimo for the cotton, and that the delay has resulted from the neglect of those who were to furnish the cotton. The expense for demurrage is very heavy, and General Granger proposes to send the steamship North without the cotton, unless it is delivered very soon.

Please advise me of any information you may have upon this matter, and whether you have taken the necessary steps to expedite the shipping of it.

U. S. GRANT,
Lieutenant-General.

RICHMOND, *January 12, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Reliable information has been furnished to the Confederate authorities that Col. J. D. Morris and Maj. T. Steele, of the Confederate Army, are confined in the jail at Lexington, Ky., and are heavily ironed. It is further represented that they are to be tried as spies. Colonel Morris and Major Steele were acting under orders from the War Department at Richmond at the time of their capture. They had been ordered to go into Kentucky for the purpose of recruiting their regiments and bringing out soldiers belonging to the Confederate Army.

I now notify you and the Federal authorities through you that Col. W. R. Hartshorne, One hundred and ninetieth Pennsylvania Regiment, and Maj. E. S. Horton, Fifty-eighth Massachusetts Regiment, have been selected for treatment similar to that received by Colonel Morris and Major Steele. Whatever punishment is suffered by the latter will be visited upon the two named Federal officers.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HDQRS. DEPT. OF WEST VIRGINIA AND EAST TENNESSEE,
January 12, 1865.

Maj. Gen. S. G. BURBRIDGE,
Commanding U. S. Forces, Lexington, Ky.:

I learn from a source which I cannot discredit that you hold in irons at Lexington, Ky., Col. John D. Morris, Lieut. Col. C. K. Johnson, and Maj. Theophilus Steele, over whom is impending a threat of execution upon the occurrence of events which they have no power to control. Colonel Morris and Major Steele are regularly recognized officers of the Confederate Army from my command, and I learn that Colonel Johnson is also a regularly commissioned officer. I deem it unnecessary to enter into any argument with you as to the legality of such action. It is enough for me to demand for the prisoners in your hands the treatment to which they are entitled as prisoners of war, and to notify you that, painful as such retaliation will be, I shall resort to the most severe measures, if necessary, to secure justice to the officers and men of my command whom the fortunes of war have thrown into your power. It has been my aim, as far as possible, to alleviate the necessary hardships and sufferings of prisoners of war. Any exceptional treatment of

those who have fallen into my hands has been in violation of my orders and has promptly received necessary attention. While I do not claim undue mildness, I have the right to claim, and shall expect, that prisoners from my command shall be treated as prisoners of war. To secure this end I now notify you that I hold three Federal officers of equal rank from your command, whose treatment shall be regulated by that extended to the officers named, and whose fate shall be decided by theirs. Upon information that you have restored your prisoners to the status of prisoners of war, I will make a corresponding change in the condition of those held by me.

Very respectfully, your obedient servant,

JOHN C. BRECKINRIDGE,
Major-General.

HDQRS. DEPT. OF WEST VIRGINIA AND EAST TENNESSEE,
January 12, 1865.

COMMANDING OFFICER U. S. FORCES, *Knoxville:*

During the recent raid under Major-General Stoneman a number of officers and men were captured and paroled to report to Knoxville at a future day. The object of this communication is to inform you that, in accordance with the interpretation given to the subject by both Governments, all such paroles given to parties within our lines have been declared null and the men and officers ordered to duty. While your forces occupied the country the obligation was binding upon them individually, but when they were recaptured by the reoccupation of the Confederate forces they were released from the operation of the parole given. A number were found on their way to Knoxville to report as pledged—among whom I have been requested to mention the following who considered themselves under peculiar obligations to report: Surg. Ben. Gillespie; Major Lewellyn, quartermaster; Capt. William Johnson, assistant quartermaster; Capt. G. N. Eakin, assistant quartermaster; Lieut. G. S. Feeny, and Capt. A. J. Waters.

I have also the honor to state that Surgeon Carrick, who was captured at Marion, was sent to Richmond for transmission through the lines there in preference to the tedious route to Knoxville. Notice has been received that he has been sent through by flag. I have also sent for similar transmission Asst. Surg. John Swan, Fifth U. S. [Colored] Cavalry; Asst. Surg. W. S. Robbins, Sixth U. S. [Colored] Cavalry; Surgeon Gardner, Thirtieth Kentucky Cavalry [Infantry], having received assurance through Commissioner Ould that Medical Director Ramsey and other surgeons captured at Bristol would be sent through by flag. An agreement having been made between Brigadier-General Vaughn and the representative of the U. S. authorities stipulating the security of citizens from capture and imprisonment, I have the honor to call your attention to the fact that a number of citizens, among them Mr. Sperry, of Bristol, were captured and sent to Knoxville, and to request that in compliance with the terms of the agreement they be released and returned to their homes.

I am, sir, very respectfully, your obedient servant,

JOHN C. BRECKINRIDGE,
Major-General.

[JANUARY 12, 1865.—For Dana to Forrest, relative to exchange of prisoners, see Series I, Vol. XLVIII, Part I, p. 498.]

HDQRS. OFFICE ASST. AGENT OF EXCHANGE,
FLAG-OF-TRUCE STEAMER COUNTESS,
Mouth of Red River, January 12, 1865.

Col. CHARLES C. DWIGHT,
Comr. of Exchange, Mil. Div. of West Miss., New Orleans, La.:

COLONEL: I have the honor to inform you that I am here in obedience to the wishes of General E. Kirby Smith, from whom I bring the inclosed communication to General Canby. I reached Shreveport from Texas on the 4th instant. I regret that you were unable to meet me at Galveston on the 19th ultimo. I delivered, notwithstanding, the quota of prisoners agreed on and have sent you the receipt for the same of Captain Mullany, commanding U. S. S. Bienville.

Having received at one interview of December 11, 1864, assurances that you would soon be prepared to deliver the C. S. prisoners captured at Helena, Ark., in July, 1863, and others subsequently captured by General Steele in Arkansas and those captured at Fort Butler, I am pleased to be able to inform you that I am both ready and anxious to effect a prompt delivery of their equivalents. In order to be at all times ready to accomplish this end (so much desired by both of us) I have kept the entire number of captures made by Confederate arms at Camp Ford, Tex. This number, you are aware, is large—so large that it is extremely desirable on every account that it be reduced. Unless this reduction is soon made by exchange it will become necessary to distribute the prisoners in other camps. This arrangement will diminish the facilities for future exchange, and will only be made in view of the health and comfort of the prisoners.

I take pleasure in again assuring you of my readiness to deliver the U. S. naval prisoners now in our hands for their equivalent in Confederate naval prisoners captured in Mobile Bay and elsewhere, but beg to repeat that this exchange must include Admiral Buchanan and his comrades.

I inclose a copy of Special Orders, No. 203, dated Houston, July 21, 1864,* referring to Mr. John Dillingham, captain of the U. S. S. Morning Light, who was allowed an opportunity to effect his exchange for Captain Fowler. Captain Dillingham having failed to accomplish the exchange, I have to ask that he be instructed to return within our lines without further delay.

I would again call your attention to that portion of my communication of 18th of November last which relates to the mechanics captured while attempting to cross the Mississippi River. I beg now to inquire what disposition it is your purpose to make of them. The general commanding directs that I accept the proposition to exchange Lieutenant-Colonel Guess for his equivalent in privates, having no officers of equal rank now in my charge. Lieutenant-Colonel Guess has been ordered to report for duty, and you having an excess of C. S. paroled men, I trust it will not be found inconvenient to release the proper equivalent at once.

The general commanding further directs that I ask the special exchange of Generals Marmaduke and Cabell, and as many others of their command as is possible, at the earliest practicable moment. General Marmaduke having received assurances from General Rosecrans that every facility should be afforded for this exchange, it is hoped that no unnecessary delay will attend it.

Col. Robert J. Barrow, who was captured at his plantation in Louisiana and is now at Fort Lafayette, is, I learn, suffering in health from

* Omitted.

his confinement. His constitution being feeble, General Smith is desirous that he be exchanged. In order to effect this I have to propose to exchange for him any particular officer you may designate or the usual number of equivalents. I once more have to invite your attention to the case of Private Preston, already mentioned in previous communication, and to report that it would be gratifying to General Smith to have his exchange effected. Mr. Preston is quite a youth and is represented to be in very delicate health. E. B. Pendleton, who was once a major in the Commissary Department, Provisional Army, C. S., but whose name has been dropped from the rolls, and hence was simply a citizen at the time of his capture, is still detained as a prisoner by the U. S. authorities. You are aware that the Confederate States Government no longer confines citizens as such, and having received assurances from you that your Government would observe the same line of conduct, I respectfully request that Mr. Pendleton be released. A small number of U. S. citizens having recently been captured by our forces, I shall bring them with me to our next meeting and there turn them over to you.

I inclose a copy of a communication relating to Mr. Joshua James, a citizen of Tensas Parish, La., now on parole and under bond in Vicksburg. The facts as set forth in the letter require no comment. I also inclose a copy of the correspondence between General M. K. Lawler, U. S. Army, and myself, and call your attention to the indorsement I have put upon it.

I have not yet received your official acknowledgment of the delivery of the Brashear City prisoners. They numbered, as you will remember, 1,360, rated as privates, and were delivered by Confederate authorities at Boutte Station to Lieutenant-Colonel Stancel, commanding outposts of U. S. forces. I respectfully ask that you will forward to me the papers necessary to conclude this transaction. I send you a mail from U. S. prisoners and others to parties within your lines.

Awaiting your reply, which I trust will be prompt, the more so as the cartel we agreed upon in July, 1864, has had sufficient time for its consummation, and hoping to meet you before the lapse of many days at our usual rendezvous, Red River Landing,

I have the honor to be, very respectfully, your obedient servant,

IG. SZYMANSKI,

Asst. Agent of Exchange, Trans-Mississippi Dept., C. S. Army.

[Inclosure.]

HEADQUARTERS TRANS-MISSISSIPPI DEPARTMENT,

Shreveport, January 7, 1865.

Maj. Gen. E. R. S. CANBY,

Commanding U. S. Forces, &c., New Orleans, La.:

GENERAL: I have directed Major Szymanski, C. S. agent of exchange for this department, to effect if possible the special exchange of Brigadier-Generals Marmaduke and Cabell, C. S. Army, who were captured during the recent expedition of Maj. Gen. Sterling Price into the State of Missouri. I hope that the application when made by Major Szymanski will be favorably considered and measures taken for the speedy exchange of these officers.

I am, general, very respectfully, your obedient servant,

E. K. SMITH,

General.

RICHMOND, *January 12, 1865.*

TAZEWELL TAYLOR, Esq.:

DEAR SIR: Your letters relating to the special exchange of several Confederate and Federal officers have been received.

First. Let me thank you for your generous offer in behalf of our people. Your kindness and earnestness are fully appreciated.

Secondly. Let me assure you of the anxious desire of the Confederate authorities to secure the release of every Confederate prisoner in Federal hands. We have made proposition after proposition, both under the cartel and outside of it, but with little effect. We are ready at any time to give an equivalent for any Confederate officer or soldier who may be delivered to us and at the time of his delivery. We have done so up this time, and no more.

Thirdly. It is the fixed and just purpose of the Confederate authorities to make no discrimination amongst its officers and men in prison. "Every line of policy which would put any one of our prisoners in a more favorable position than that occupied by the others is carefully avoided." For this reason we have carefully abstained from making special exchanges. If the enemy selects Confederate officers to be sent home, we must insist upon our right to designate who shall be the equivalents. We have constantly refused to indicate who shall be the objects of Confederate favor. To do so would be to dissatisfy every one who was not selected, and their friends also. To allow the Federals to enter our prisons and select those who should be delivered would soon result in sending off every officer of influence or position and leave on our hands those for whom they cared little or nothing. I send you a copy of a report made by me to the Secretary of War, which fully explains the position we take in relation to special exchanges.* If those principles have been violated it has been done by commanders in the field without the approbation of the Confederate authorities.

You will perceive under this view that any selection by us of officers for a special favor or exchange on the one hand, or any designation by the enemy of Federal officers to be sent in return, is not to be tolerated. This rule, of course, is subordinate to our declared purpose of returning an equivalent in any case where a Confederate officer or soldier, whoever he may be, is sent to us. I am sure your sense of justice will approve our rule.

The officers to whom you refer are sent to us without any special parole. They came as all others did. Equivalents were sent for them. An excess of equivalents even was sent to assure the Federal authorities of our disposition to relieve all prisoners on both sides from captivity. I was not aware of any special arrangements in relation to the named parties until I received your letter. To be frank with you, I must say if it had been otherwise our course would not have been altered. We have no favorites amongst our prisoners. All are the subjects of equal solicitude and effort. We will not and cannot add to the gloom of those that are left to Federal mercy by an exhibition of special grace or favor to a few of their companions in misery. Thanks to our noble officers, they do not ask it when they truly understand the matter. They almost unanimously so inform me, and applaud the course we have determined to pursue.

Again thanking you for your kind efforts in behalf of our captives, I remain, very respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

* See Vol. VII, this series, p. 1078.

GENERAL ORDERS, } OFFICE COM. GENERAL OF PRISONERS,
No. 1. } *Washington, D. C., January 13, 1865.*

By authority of the Secretary of War it is ordered as follows:

1. Section 2 of the act approved June 20, 1864, published in General Orders, No. 216, from the War Department, dated June 22, 1864, having modified the army ration, the ration heretofore allowed to prisoners of war is revised as follows, to go into effect February 1, 1865:

Ration.—Pork or bacon, ten ounces (in lieu of beef); salt or fresh beef, fourteen ounces; flour or soft bread, sixteen ounces; hard bread, ten ounces (in lieu of flour or soft bread); corn-meal, sixteen ounces (in lieu of flour or bread); beans or peas, twelve pounds and a half to 100 rations, or rice or hominy, eight pounds to 100 rations; soap, two pounds to 100 rations; vinegar, two quarts to 100 rations; salt, two pounds to 100 rations.

2. Sugar and coffee or tea will be issued only to sick or wounded, on the recommendation of the surgeon in charge, at the rate of twelve pounds of sugar and five pounds of ground or seven pounds of green coffee or one pound of tea to the 100 rations. This part of the ration will be allowed only for every other day.

3. Desiccated compressed potatoes, or desiccated compressed mixed vegetables, in quantity as allowed by existing regulations, may be substituted for beans, peas, rice, or hominy. If the ration of soap, salt, or vinegar is found to be insufficient, it will be increased in such proportion as may be deemed proper by the commanding officer of the post, not to exceed in quantity the ration allowed to soldiers of the U. S. Army.

4. The ration to be issued to prisoners of war employed on public works as announced in Circular No. 3, from this office, dated June 13, 1864, is hereby modified as follows, viz: Pork or bacon, twelve ounces (in lieu of beef); salt or fresh beef, sixteen ounces; flour or soft bread, eighteen ounces; hard bread, twelve ounces (in lieu of flour or soft bread); corn-meal, eighteen ounces (in lieu of flour or bread); beans or peas, fifteen pounds to 100 rations; rice or hominy, ten pounds (in lieu of beans or peas) to 100 rations; coffee (ground), five pounds to 100 rations; coffee (green), seven pounds (in lieu of ground coffee) to 100 rations; tea, sixteen ounces (in lieu of coffee) to 100 rations; sugar, twelve pounds to 100 rations; vinegar, three quarts to 100 rations; soap, four pounds to 100 rations; salt, three pounds and three-fourths to 100 rations.

5. The difference between the rations hereby established and the ration allowed by law to soldiers of the U. S. Army, as announced in General Orders, No. 226, from the War Department, dated July 8, 1864, the difference between the ration allowed to be issued and that actually used, constitutes the "savings" from which is formed the "prison fund." All current money left by deceased prisoners of war, or accruing from the sale of their effects; all current money clandestinely forwarded to prisoners or found concealed by them, and all money accruing to the prison fund from any other source will be turned over to the commissary, and will be accounted for on his statement of the fund.

6. Tea and sugar for the sick, when the ration allowed is insufficient, and antiscorbutics for the prisoners generally, may be purchased on the certificate of the surgeon, approved by the commanding officer that the articles are necessary. The tea and sugar will be bought from the commissary and paid for from the hospital fund, and the antiscorbutics for general use must, when practicable, be purchased from the commissary, and will be paid for from the prison fund. When the hospital

fund is too limited to meet such expenditures they may be made from the "prison fund."

7. Accounts against the "prison fund" must be paid, as far as possible, in the month in which they become due.

8. Soldiers employed as clerks, or on other duties connected with prisoners of war, as authorized by Article IX, of circular of April 20, 1864, are not to be considered on "extra duty," as it is understood by the Army Regulations, nor are they mustered for "extra pay," but for this service they are to be compensated at the prescribed rates.

9. The monthly statement of the prison fund, and quartermaster's accounts of property purchased with the prison fund, must be forwarded to this office within ten days after the end of the month. In case of delay an explanation must be forwarded as to the cause. Blanks for making the above returns will be forwarded on requisition made to this office.

10. All orders heretofore issued from this office conflicting with any portion of this order are hereby annulled.

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Assistant Adjutant-General.

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., January 13, 1865.

Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

COLONEL: The letter of Judge Robert Ould, agent of exchange of Confederate States, of date Richmond, September 12, 1864, in answer to yours of 10th of same month, accepting the proposition made by him, under date of August 22, 1864, that—

> all prisoners of war on each side be released from confinement (close) or irons, as the case may be, and either placed in the condition of other prisoners of war or sent to their respective homes for their equivalents—

has been duly referred to me for my consideration and action, and I am of the opinion that the proposition, as made by Judge Ould and accepted by the Government, through you, is just and equally fair and beneficial to both sides. You will therefore communicate to Judge Ould, without delay, that our Government stands by its acceptance of his proposition, heretofore referred to, without excepting from its operations any of the cases proposed by General Butler and referred to in his (Judge Ould's) letter of September 12; that the parties for whose release said agreement was made shall all be mutually delivered, the party having the excess to receive proper equivalents, and that you are authorized to carry the agreement into immediate effect on our side.

Very respectfully, your obedient servant,

U. S. GRANT,
Lieutenant-General.

FORT LAFAYETTE, *New York Harbor, January 13, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *New York:*

GENERAL: I have the honor to inclose a slip from the Richmond Examiner of the 6th instant, which shows that "the cotton has been shipped from Mobile," and I presume will be here in a day or so. As

much of my former work will have to be gone over, may I ask of you, if in your power, to have my parole renewed at once?

I am, general, respectfully, your obedient servant,

WM. N. R. BEALL,

Brigadier-General, Provisional Army, C. S., Prisoner of War.

[Inclosure.]

(From the Richmond Examiner, January 6.)

BLANKETS FOR UNION PRISONERS—THE DISTRIBUTION PROGRESSING—ONLY 2,000 FEDERAL PRISONERS CONFINED AT RICHMOND—REASON WHY OUR CAPTURED MEN ARE SENT SOUTHWARD.

Yesterday a commission from Grant's lines arrived at Varina, under flag of truce, bringing 1,500 blankets for distribution among the Federal prisoners in Richmond, in addition to 1,000 blankets received through the same source last week. Major Turner, the commandant of the Libby Prison post here, placed the distribution under the control of Lieutenant-Colonel Hutchins, a Federal officer and a prisoner, and the distribution of the blankets was progressing yesterday and will be concluded to-day.

This is an offset to the courtesy extended our prisoners in the North by the cargo of cotton sent from Mobile recently, which, converted into Federal currency, will go far toward supplying the wants of the suffering Confederate prisoners in the, to them, frigid zone of the North.

Of the fifty-odd thousand Yankee prisoners computed to be now held in the South not over 2,000 are confined in Richmond, and more than the half of these are in the hospital. A wise determination of the Government has constantly for a year past been shifting the great body of the prisoners southward, and the wisdom of the order is being demonstrated every day. Richmond, hard pressed to feed its superabundant population and the large army defending its gates, is relieved from the incubus of an overstocked prison post in its midst.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,

Nashville, Tenn., January 13, 1865.

General J. B. HOOD, C. S. Army,

Commanding C. S. Army of Tennessee:

GENERAL: I take this means of informing you of an act of cold-blooded murder of prisoners of war recently committed by a company of scouts belonging to Forrest's forces and commanded by a Captain Harvey. The circumstances were as follows:

On the 20th of December last three officers belonging to the U. S. service were captured by this company of scouts, which numbered thirty-six men, about fourteen miles southeast of Murfreesborough. As soon as captured they were robbed of everything valuable which they had upon their persons, even their clothing. They were kept under guard for three days with some other prisoners—enlisted men who had been captured near Murfreesborough—until they reached a small town named Lewisburg, some eighteen miles south of Duck River. From there the captured officers were sent under guard of four men, as they were told by the guard, to Forrest's headquarters, and the enlisted men were taken off on a road leading to Columbia. The officers were taken

along the turnpike leading from Lewisburg to Mooresville, for the distance of about four miles, when they left the road and turned to the right for the purpose, as they were told by the guard, of stopping at a neighboring house for the night. When they had reached a wooded ravine, about half a mile from the turnpike, the leading man of the guard halted, partially turned his horse, and, as one of the officers came up, drew his revolver and without uttering a word shot him in the head. The other two officers were then killed by being shot through the head with carbines, and their bodies were next morning decently buried, but not by your troops, upon the premises of a citizen living near. It is supposed that the enlisted men, who were taken off on another road, met a similar fate to that of the officers. I have the names of these officers in my possession, and the whole that is herein stated is susceptible of proof.

It is my desire as far as lies in my power to mitigate the horrors of this war as much as possible, but I will not consent that my soldiers shall be thus brutally murdered whenever the fortunes of war place them defenseless within your power. Such acts on the part of the soldiers of your army are of by no means rare occurrences. A case which occurs to my mind now, and of which no mention has heretofore been made to either your predecessor in command or yourself, is that of the murder of ten prisoners of war by a portion of Ross' brigade, of Wheeler's command, at Wood's Gap, between Gordon's Mills and Dalton, early in April last. Should my troops, exasperated by a repetition of such acts, take no prisoners of war at all in future, I shall in no manner interfere in this exercise of their just vengeance, and you will fully understand their reasons as well as mine, and you will please remember that it is your army and not mine who is responsible for the inauguration of the dreadful policy of extermination.

I am, sir, very respectfully, your obedient servant,

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

HEADQUARTERS PRISON CAMP,
Elmira, N. Y., January 13, 1865.

Lieut. R. J. MCKEE, *Acting Assistant Adjutant-General:*

LIEUTENANT: I have the honor to report that prisoners of war in this camp receive rations each man daily as follows: For breakfast, eight ounces of bread, eight ounces of meat; for dinner, eight ounces of bread, one pint and a half soup of excellent quality, made from meat, potatoes, onions, and beans. The great majority get a piece of meat in the soup. Extra-duty men receive per day twenty-four ounces of bread, sixteen ounces of meat, and two pints of soup, and coffee with each meal (three meals per day).

I am, sir, very respectfully, your obedient servant,

STEPHEN MOORE,
Lieut. Col. Sixteenth Regt. Vet. Reserve Corps, Comdg. Camp.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 13, 1865.

Maj. IG. SZYMANSKI,
Asst. Agent of Exchange, Trans-Mississippi Dept., C. S. Army:

MAJOR: I have the honor to inclose to you herewith official copies of two papers relating to and disposing of the case of the paroles given

by the prisoners of war captured from the U. S. forces at Brashear City in June, 1863.* The one is a letter from Maj. Gen. E. A. Hitchcock, of August 24, 1864, which concedes the validity of the paroles when given; the other an order from the War Department, dated October 16, 1863, which declares exchanged the prisoners so paroled.

I am, major, very respectfully, your obedient servant,

CHAS. C. DWIGHT,

Colonel and Agent of Exchange, Mil. Div. of West Mississippi.

CIRCULAR.] PROVOST-MARSHAL'S OFFICE,

Fort Pulaski, Ga., January 13, 1865.

All remittances to prisoners of war sent by permission of Brigadier-General Wessells, Commissary-General of Prisoners, Washington, D. C., and to the care of Lieut. Col. John E. Mulford, assistant agent of exchange, Fortress Monroe, Va., will be promptly delivered to the persons to whom they are addressed.

FRANK PLACE,

Major 157th New York Volunteers, Provost-Marshal.

CAMP DOUGLAS, *Chicago, Ill., January 13, 1865.*

Special requisition for clothing for issue to prisoners of war.

Eight thousand blankets, 2,000 coats or jackets, 3,000 pair trousers, 5,000 shirts, 10,000 pair drawers, 12,000 pair stockings, 3,000 pair bootees.

I certify that the above requisition is correct, and that the articles specified are absolutely requisite for the public service, rendered so by the following circumstances: For issue to prisoners of war at Camp Douglas for the first quarter of 1865, in pursuance of paragraph 12, circular, Office of Commissary-General of Prisoners, Washington, D. C., April 20, 1864.

CHARLES GOODMAN,

Captain and Assistant Quartermaster.

Approved.

B. J. SWEET,

Colonel Eighth Regiment Veteran Reserve Corps, Comdg. Post.

CAMP DOUGLAS, *Chicago, Ill., January 13, 1865.*

Proceedings of the commission convened by the following order, to wit:

SPECIAL ORDERS, No. 12.]

A military commission is hereby ordered to meet at Camp Douglas, Chicago, Ill., Thursday, January 12, 1865, or as soon thereafter as practicable, to investigate and report the facts in relation to the shooting of two prisoners of war in the rebel square at Camp Douglas, Chicago, Ill., on the morning of the 7th instant, by a sentinel on post 6 or 7, Second Division, and whether such sentinel was justified in accordance with existing orders in such shooting. Detail for the commission: Maj. James E. Cornelius, Fifteenth Regiment Veteran Reserve Corps; Capt. John L. Hill,

* See Vol. VI, p. 383, and Vol. VII, p. 674, this series.

Twenty-fourth Ohio Battery; Lieut. William Palmer, Company D, Fifteenth Regiment Veteran Reserve Corps.

By command of B. J. Sweet, colonel Eighth Regiment Veteran Reserve Corps, commanding post:

E. R. P. SHURLY,
Captain and Acting Assistant Adjutant-General.

The commission met pursuant to the above order, all the members being present. The commission then proceeded to take evidence in regard to the shooting of a prisoner of war on the morning of the 7th instant by a sentinel of the Second Division. Privates David Tolman, Elijah Tidd, and Horace Snow, all of Company G, Fifteenth Regiment Veteran Reserve Corps, and sentinels on posts Nos. 5, 6, and 7 of the Second Division, on the morning of January 7, 1865, also Capt. J. H. Hastings, commanding prisoners' square, were examined under oath.

The commission, after mature deliberation on the evidence adduced, have the honor to report that the sentinel on post No. 6, Second Division, David Tolman, private, Company G, Fifteenth Regiment Veteran Reserve Corps, did, on the morning of January 7, 1865, about the hour of 9 a. m., fire at a rebel prisoner of war who stepped across the dead-line in the prisoners' square, missing him, and that his ball passed into the rebel barracks, numbered as Ward H, and wounded two men in that ward; that in firing the sentinel carried out the instructions given to all sentinels on the parapet. It appears from the evidence that he fired about two feet over the head of the man fired at, a circumstance that may be attributed to his elevated position more than to any culpable carelessness on the part of the sentinel.

In conclusion, the commission is of the opinion that Private David Tolman, Company G, Fifteenth Regiment Veteran Reserve Corps, was strictly performing his duty when he fired at the rebel prisoner of war when he crossed the (so-called) dead-line; but would recommend that the sentinels be instructed to carefully fire low under such circumstances, so as not to injure others who are innocent of any offense.

J. E. CORNELIUS,
Major Fifteenth Regiment Veteran Reserve Corps, President.
J. L. HILL,
Captain Twenty-fourth Ohio Battery.
WILLIAM PALMER,
Second Lieut. Company D, Fifteenth Regt. Veteran Reserve Corps.

FORT MORGAN, *January 13, 1865.*

[Maj. JAMES E. MONTGOMERY:]

MAJOR: I respectfully state that I reached this post this evening with the rebel steamer Waverly with the 1,000 bales of cotton which I am to take to New York under orders of the major-general commanding.

Captain Jenkins, U. S. Navy, commanding naval forces Mobile Bay, having stated to me this evening (upon my reporting to him) that he could furnish no men to transfer the cotton from the Waverly to the Atlanta, I immediately endeavored to raise a gang of stevedores from Captain Dunham, assistant quartermaster, and failing in that (as the men had been worked very hard), I obtained from Colonel Clarke, commanding post, an order for thirty teamsters from Captain Dunham, for whom I am now waiting. This haste is necessary from the fact that the rebel steamer is a very frail, light vessel, and in the event of much wind would be obliged to seek shelter in a safe harbor until calm weather, and this is the season of "northers."

appointed agents for the purpose of carrying into effect the design of this appropriation, most respectfully ask, through you, permission to proceed to the United States on the object of our mission. Having obtained permission from the Confederate Government to ship cotton to the amount of this appropriation, we are instructed by the Governor of Alabama to ask permission to pass it through the blockade. We would further state that it would be agreeable to the Governor of Alabama if a vessel of the United States should be permitted to carry this cotton to the port of New York, to be there sold and the proceeds applied to the purchase of blankets, clothing, and such other things as may be needed for the comfort of prisoners from that State. We beg leave to suggest Mobile Bay as the point from which this cotton may be shipped. We deem it proper to state that our mission is confined strictly to the object stated. It embraces nothing of a military or political nature, and if permitted to carry out the design of our State we will cheerfully submit to such rules, regulations, and paroles as are usual in such cases. We well know that a gallant soldier must feel for those brave men who by the fortunes of war are held as prisoners, exposed to the rigors of a climate to which they are not accustomed, the severities of which are augmented by the privations necessarily attendant upon their condition. We ask this favor with confidence, assured that your sympathies with the unfortunate brave will lead you to do all in your power to promote the benevolent design intrusted to us by the State of Alabama.

We have the honor to be, most respectfully, your obedient servants,

M. LEHMAN,
I. T. TICHENOR,
Agents of the State of Alabama.

RICHMOND, VA., *January 14, 1865.*

Lieut. Gen. U. S. GRANT:

SIR: Your communication of the 12th instant has been received.

There seems to be some extraordinary mistake somewhere about the cotton to be shipped from Mobile. I have already acquainted you with the substance of the telegraph from Mobile of the date of the 25th of December last. I have now before me a letter from the agent of the Confederate States having charge of the matter, dated Mobile, December 23, 1864, from which I extract the following paragraph, to wit:

> The cotton has been furnished and is already on board the lighter, awaiting reply from the Federal commander to a communication from General Maury notifying him that it is ready to be delivered.

This you perceive is utterly inconsistent with General Canby's telegraph of the 16th ultimo. I hope that we shall soon arrive at the truth of the matter.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

WASHINGTON, D. C., *January 14, 1865.*

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: I send herewith a letter, dated Knoxville, Tenn., December 10, 1864, from Brig. Gen. S. P. Carter, provost-marshal-general of East Tennessee, in reference to an agreement between himself and General

Vaughn, in the service of the enemy, touching certain exchanges, and I inclose with it the articles of agreement, to which I call your attention and request you to give such orders and take such measures as will enable General Carter to comply with the agreement by sending to him such prisoners therein referred to as he is bound to deliver to the enemy, excepting in the case of Captain Battle, who is to be retained, at the request of General Carter, until he shall be satisfied in regard to the treatment of Captain Harris.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

P. S.—In order to keep together the papers which relate to this matter, I send with this a copy of my letter of December 23 last to General Carter and his letter in answer of January 5, 1865; the latter received this morning.*

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
On board Steamer New York, January 11, 1865.

[Maj. Gen. B. F. BUTLER:]

GENERAL: In compliance with instructions received from you through Brig. Gen. John W. Turner, dated December 29, 1864, concerning the issue of blankets to Federal prisoners at Richmond, I have the honor to make the following report:

On the evening of December 31, 1864, I received ten bales of blankets (100 in each bale), and was at once notified by Colonel Ould and Major Turner that I could commence to issue them on the following morning. They also informed me that I could select two officers to assist me. I accordingly selected Chaplain Emerson, of the Seventh New Hampshire Infantry, and Assistant Surgeon Pierce, of the First New Hampshire Cavalry, for that purpose. I am also happy to say that during a portion of the time this consignment was issued I was assisted by Surgeon Strawbridge, medical director of the Eighteenth Army Corps, and to these officers I am greatly indebted for their aid.

On Sunday, the 1st of January, 1865, we commenced to issue the blankets, and surely it was a welcome New Year's present to our suffering soldiers. After inspecting the different prisons we came to the conclusion that those prisoners who were confined in what is known as the Pemberton Building were the most destitute, although every soldier who was here confined was sadly in need of blankets and clothing. There were nearly 3,000 prisoners in Richmond, and very few were in possession of blankets. In the Pemberton Building there are six large rooms in which our prisoners are confined. The three rooms in the northwest corner of this building were found to be the most open, and the prisoners here confined were the most exposed. We here issued one blanket to each enlisted man, there being 579 men confined in these rooms. We also found that up to this time there were but thirty-one blankets for all of these men. On Monday, the 2d of January, we completed the distribution of the blankets to these prisoners confined in the south rooms. Not having a sufficient supply on hand, and wishing to make all as comfortable as possible, I took the responsibility to

* For inclosures to this communication see Vol. VII, this series, pp. 1175, 1208, 1263, and p. 25, *ante*.

appointed agents for the purpose of carrying into effect the design of this appropriation, most respectfully ask, through you, permission to proceed to the United States on the object of our mission. Having obtained permission from the Confederate Government to ship cotton to the amount of this appropriation, we are instructed by the Governor of Alabama to ask permission to pass it through the blockade. We would further state that it would be agreeable to the Governor of Alabama if a vessel of the United States should be permitted to carry this cotton to the port of New York, to be there sold and the proceeds applied to the purchase of blankets, clothing, and such other things as may be needed for the comfort of prisoners from that State. We beg leave to suggest Mobile Bay as the point from which this cotton may be shipped. We deem it proper to state that our mission is confined strictly to the object stated. It embraces nothing of a military or political nature, and if permitted to carry out the design of our State we will cheerfully submit to such rules, regulations, and paroles as are usual in such cases. We well know that a gallant soldier must feel for those brave men who by the fortunes of war are held as prisoners, exposed to the rigors of a climate to which they are not accustomed, the severities of which are augmented by the privations necessarily attendant upon their condition. We ask this favor with confidence, assured that your sympathies with the unfortunate brave will lead you to do all in your power to promote the benevolent design intrusted to us by the State of Alabama.

We have the honor to be, most respectfully, your obedient servants,

M. LEHMAN,
I. T. TICHENOR,
Agents of the State of Alabama.

RICHMOND, VA., *January 14, 1865.*

Lieut. Gen. U. S. GRANT:

SIR: Your communication of the 12th instant has been received.

There seems to be some extraordinary mistake somewhere about the cotton to be shipped from Mobile. I have already acquainted you with the substance of the telegraph from Mobile of the date of the 25th of December last. I have now before me a letter from the agent of the Confederate States having charge of the matter, dated Mobile, December 23, 1864, from which I extract the following paragraph, to wit:

> The cotton has been furnished and is already on board the lighter, awaiting reply from the Federal commander to a communication from General Maury notifying him that it is ready to be delivered.

This you perceive is utterly inconsistent with General Canby's telegraph of the 16th ultimo. I hope that we shall soon arrive at the truth of the matter.

Respectfully, your obedient servant.

RO. OULD,
Agent of Exchange.

WASHINGTON, D. C., *January 14, 1865.*

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: I send herewith a letter, dated Knoxville, Tenn., December 10, 1864, from Brig. Gen. S. P. Carter, provost-marshal-general of East Tennessee, in reference to an agreement between himself and General

Vaughn, in the service of the enemy, touching certain exchanges, and I inclose with it the articles of agreement, to which I call your attention and request you to give such orders and take such measures as will enable General Carter to comply with the agreement by sending to him such prisoners therein referred to as he is bound to deliver to the enemy, excepting in the case of Captain Battle, who is to be retained, at the request of General Carter, until he shall be satisfied in regard to the treatment of Captain Harris.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

P. S.—In order to keep together the papers which relate to this matter, I send with this a copy of my letter of December 23 last to General Carter and his letter in answer of January 5, 1865; the latter received this morning.*

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
On board Steamer New York, January 14, 1865.

[Maj. Gen. B. F. BUTLER:]

GENERAL: In compliance with instructions received from you through Brig. Gen. John W. Turner, dated December 29, 1864, concerning the issue of blankets to Federal prisoners at Richmond, I have the honor to make the following report:

On the evening of December 31, 1864, I received ten bales of blankets (100 in each bale), and was at once notified by Colonel Ould and Major Turner that I could commence to issue them on the following morning. They also informed me that I could select two officers to assist me. I accordingly selected Chaplain Emerson, of the Seventh New Hampshire Infantry, and Assistant Surgeon Pierce, of the First New Hampshire Cavalry, for that purpose. I am also happy to say that during a portion of the time this consignment was issued I was assisted by Surgeon Strawbridge, medical director of the Eighteenth Army Corps, and to these officers I am greatly indebted for their aid.

On Sunday, the 1st of January, 1865, we commenced to issue the blankets, and surely it was a welcome New Year's present to our suffering soldiers. After inspecting the different prisons we came to the conclusion that those prisoners who were confined in what is known as the Pemberton Building were the most destitute, although every soldier who was here confined was sadly in need of blankets and clothing. There were nearly 3,000 prisoners in Richmond, and very few were in possession of blankets. In the Pemberton Building there are six large rooms in which our prisoners are confined. The three rooms in the northwest corner of this building were found to be the most open, and the prisoners here confined were the most exposed. We here issued one blanket to each enlisted man, there being 579 men confined in these rooms. We also found that up to this time there were but thirty-one blankets for all of these men. On Monday, the 2d of January, we completed the distribution of the blankets to these prisoners confined in the south rooms. Not having a sufficient supply on hand, and wishing to make all as comfortable as possible, I took the responsibility to

* For inclosures to this communication see Vol. VII, this series, pp. 1175, 1208, 1263, and p. 25, *ante*.

depart somewhat from the instructions I received from Brigadier-General Turner and accordingly issued two blankets to every three men. Instead of murmuring or complaining, these men received them most gratefully, and frequent expressions of thankfulness were made for this token of remembrance by their Government. It was, indeed, a sad sight to see these brave soldiers, who have been suffering for months in this prison from cold and hunger, roll themselves up in their warm blankets and sink at once in a quiet slumber, forgetful of their food and mindful of nothing save of sleep. In this connection allow me to say that not a single commissioned officer here confined would receive a blanket from this lot, all preferring that they should be distributed among the enlisted men.

On January 5, 1865, I received 1,500 more blankets and on the following morning commenced to distribute them, assisted by Doctor Pierce and Major Owens, of the First Kentucky Cavalry. We issued the following number to prisoners confined in the rooms of Libby Prison: In room No. 1, 228; No. 2, 210; No. 3, 198. We issued to men who had just arrived from Western Virginia, captured in the late raid made by General Stoneman, ninety-two blankets; and here I must say that among all of the prisoners whom I have yet seen these are the most destitute. None had blankets or overcoats. In most cases their hats and coats had been taken from them, and but very few had boots or shoes upon their feet. Many of them could hardly stand, and when the blankets were given to them they seemed too grateful to reply. We then went over to the Pemberton Building and distributed blankets to those men who did not receive them from the first consignment, numbering 588. The next lot was to a class of men whose situation I would most respectfully call your attention. They are a class of men who have been held as prisoners for a long time and are detailed as shoemakers, broom makers, cooks, carpenters, and tailors. These men say they do it because they were suffering so much for food, receiving double rations for their labor, but there is not one whom I conversed with who is not extremely anxious to be exchanged at once, and all say they are ready to go into the field immediately. Thinking that you may perhaps use the names of these men I most respectfully forward a list with this communication. We distributed blankets to those officers who are held in close confinement as hostages (ten in number). I also issued blankets to the officers, and turned over fifty-six to Captain Watson on the morning of my release from prison. Thus I have completed the issue of blankets sent by you for our prisoners, and believe me, general, it has been a most pleasant duty, and our Government has received the thanks of nearly 3,000 brave men who were suffering sadly for the want of them.

Permit me to call your attention to the necessity of sending clothing to these men. A great many of them are almost destitute of clothes, so long have they been imprisoned. Several hundred are bootless and shoeless; as many are without socks, while a very large number are without coats and jackets. If you will permit me I would recommend that a supply of shoes, shirts, socks, and blouses be sent with a less number of pants, for without them a large number will certainly die during the winter.

I conversed with the majority of these men, and it was the unanimous request that they should be speedily exchanged, and were ready to pledge themselves, willing and eager to join their commands at once, and promise to fight with a stouter heart and more earnest will than ever before.

In conclusion, I am happy to state that every facility was rendered me in the performance of my duty by Colonel Ould and Major Turner.

I am, general, very respectfully, your obedient servant,

BENJ. T. HUTCHINS,
Lieutenant-Colonel First New Hampshire Cavalry.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 14, 1865.

Maj. H. A. ALLEN, *Commanding Fort Warren:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending Saturday, January 14, 1865:

Conduct—orderly. Cleanliness—satisfactory. Clothing—in as good condition as the limited allowance will permit. Bedding—in good order. State of quarters—good. State of mess-houses—clean and well conducted. State of kitchen—clean and well conducted. Food, quality of—good. Food, quantity of—the full allowance. Water—good. Sinks—in good order. Police of grounds—once every day. Drainage—excellent. Police of hospital—no special hospital for prisoners. Attendance of sick—regular. Hospital diet—good. General health of prisoners—good. Vigilance of guard—satisfactory.

Very respectfully, your obedient servant,

W. H. WOODMAN,
Lieut., First Batt. Mass. Vol. Arty., and Inspecting Officer.

[JANUARY 14, 1865.—For Dana to Christensen, relative to exchange of prisoners, see Series I, Vol. XLVIII, Part 1, p. 519. For inclosures therein referred to, but not printed, see Forrest to Dana, January 6, 1865, p. 31, *ante;* Forrest to Rousseau and Rousseau to Forrest, December 16, 1864, Vol. VII, of this series, p. 1233.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 14, 1865.

General D. H. MAURY, *Mobile, Ala.:*

General U. S. Grant notifies Col. Robert Ould that vessel has been waiting in Mobile Bay for a long time to receive cotton to supply our prisoners; that General E. R. S. Canby has notified you, and cotton has not been furnished. Send the cotton and report cause of delay.

J. A. SEDDON,
Secretary of War.

CITY POINT, *January 15, 1865.*

Major-General HALLECK, *Chief of Staff:*

Judge Ould, Confederate agent of exchange, in an interview with Colonel Mulford yesterday, requested that General Vance should be paroled as General Beall's assistant. Please have Vance so paroled.

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

JANUARY 23, 1865.

Brigadier-General WESSELLS:

The Secretary of War directs that General Vance be paroled, as herein requested.

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, *January 15, 1865.*

Major-General HALLECK, *Chief of Staff:*

Under the agreement for the release and exchange of prisoners of war, set forth in the letter of which the following is a copy,* Judge Ould has notified Colonel Mulford, assistant agent of exchange, that orders have gone out for the release of all prisoners coming within said agreement held by their side. You will therefore direct all prisoners that come within said agreement held by us to be released and sent to Fort Monroe, there to be detained subject to the orders of Colonel Mulford.

U. S. GRANT,
Lieutenant-General.

WASHINGTON, D. C., *January 15, 1865.*

Lieutenant-General GRANT, *City Point:*

Does your order to send prisoners to Fort Monroe include the 500 officers sent to Morris Island, to be exposed to enemy's fire, the same as our officers confined in the city of Charleston?

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, VA., *January 15, 1865—12 m.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

I have just received a communication from Judge R. Ould, Confederate agent of exchange, under date of 14th instant, in which he says:

I have already acquainted you with the substance of the telegram from Mobile of the date of the 25th of December last. I have now before me a letter from the agent of the Confederate States having charge of the matter, dated Mobile, December 23, 1864, from which I extract the following paragraph, to wit: "The cotton has been furnished and is already on board the lighter, awaiting reply from the Federal commander to a communication from General Maury notifying him that it is ready to be delivered."

Please communicate the above to General Canby, with directions to inquire into the matter and take immediate steps to have the vessels that are to transport the cotton report at once in Mobile Harbor to receive it, and the proper parties in Mobile notified of the fact. I much fear, unless something is done in this matter soon, we will be denied permission to send through supplies for our prisoners, for whose benefit especially the arrangement for serving prisoners was entered into by us.

U. S. GRANT,
Lieutenant-General.

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*See Grant to Mulford, January 13, p. 63.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 15, 1865.

Lieut. Col. MARTIN BURKE,
Commanding Fort Lafayette, New York Harbor:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 15, 1865:

Conduct—very good. Cleanliness—generally very good. Clothing—good. Bedding—iron bedsteads, husk mattresses, blankets, sheets, and pillows. State of quarters—very good. State of mess-houses—cleanly. State of kitchen—cleanly. Food, quality of—good. Food, quantity of—circular of June 1, 1864, complied with. Water—excellent (Croton). Sinks—cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post; prisoners very sick are sent to Fort Hamilton. Attendance of sick—Hospital Doctor Gibson attends to sick every morning. Hospital diet—none at post. General health of prisoners—very good. Vigilance of guard—guards vigilant; prisoners verified three times during the night.

Remarks and suggestions.—There are fifty-eight prisoners confined in Fort Lafayette, consisting of prisoners of war and state. Their treatment as regards quarters and exercise is excellent. Everything allowed by existing orders is furnished to them, and a good degree of satisfaction is expressed by them for the uniform excellence of their treatment.

Very respectfully, your obedient servant,

CHARLES STEELHAMMER,
First Lieut., Seventeenth U. S. Infty., Post Adjt. and Insp. Officer.

[Indorsement.]

Treatment, &c., in accordance with instructions received, is strictly carried out and adhered to.

Respectfully referred to the Commissary-General of Prisoners.

MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding Post.

HEADQUARTERS SUPERINTENDENT OF PRISON,
Johnson's Island, Ohio, January 15, 1865.

Col. CHARLES W. HILL,
Commanding U. S. Forces, Johnson's Island:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 15, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—plenty of blankets, but little straw. State of quarters—fair. State of mess-houses—fair. State of kitchen—fair. Food, quality of—good. Food, quantity of—prison ration, except potatoes. Water—lake and good. Sinks—fair. Police of grounds—fair as weather will allow. Drainage—good. Police of hospital—excellent. Attendance of sick—good. Hospital diet—good, varied, and abundant. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,047; number sick in hospital, 43; number cases smallpox, 2; number deaths since last report, 2.

Very respectfully, your obedient servant,

E. A. SCOVILL,
Lieut. Col. 128th Ohio Vol. Infantry and Inspecting Officer.

[Indorsement.]

The foregoing report is approved. Lieut. Samuel H. Waldie, Sixth Arkansas Infantry, reported by me in letter dated 10th instant as missing, undoubtedly went with the party of other prisoners of war to New Orleans for exchange.

Respectfully referred to the Commissary-General of Prisoners.

CHAS. W. HILL,
Colonel 128th Ohio Volunteer Infantry, Commanding Post.

HEADQUARTERS CAMP DOUGLAS,
Chicago, Ill., January 15, 1865.

Col. BENJAMIN J. SWEET, *Commanding Post of Chicago, Ill.:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 14, 1865:

Conduct—good. Cleanliness—good. Clothing—all that is necessary, except for a portion of those taken from Hood. Bedding—all that is necessary, except for a portion of those taken from Hood. State of quarters—very good. State of kitchen—very neat. Food, quality of—good; same as used by Federal troops of garrison. Food, quantity of—as much as is necessary. Water—a great plenty; same as used in city of Chicago. Sinks—clean; washed each morning. Police of grounds—good; swept each day. Drainage—good. Police of hospital—good. Attendance of sick—all that is necessary. Hospital diet—good; kind and quality given to meet the wants of prisoners. General health of prisoners—good. Vigilance of guard—thorough.

Remarks and suggestions.—It will be seen that the health of the prisoners is improving, notwithstanding the prostrate condition of those received from Hood's command. The following will show the changes to include the 1st and 14th of January, 1865:

Whole number of prisoners, January 1, 1865		11,699
Whole number of deaths, January 1 and 14	125	
Whole number released, January 1 and 14	34	
Total decrease		159
Total present		11,540

There have been but twelve new cases of smallpox within the last two weeks and but four cases of varioloid. There have been but twelve deaths by smallpox within the last two weeks, showing a great decrease of smallpox since December.

Very respectfully, your obedient servant,

WELLS SPONABLE,
Captain, Fifteenth Regt. Vet. Reserve Corps, and Insp. Officer.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., January 15, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

GENERAL: I have the honor to return herewith communication from P. E. O'Connor, Tenth Veteran Reserve Corps,* inclosing extract from

*See O'Connor to Blagden, January 10, p. 52.

letter of John Brusnan, prisoner of war, forwarded from your office for our information January 11. It is almost unnecessary for me to say that the statements made by the prisoner Brusnan are outrageously false. The daily ration for each prisoner is uniformly as follows: For breakfast, eight ounces bread, eight ounces meat; for dinner, eight ounces bread, one pint and a half soup of excellent quality, made from the meat, potatoes, onions, and beans. Extra-duty men receive per day eighteen ounces bread, sixteen ounces meat, and two pints soup. Three meals, and coffee with each. The total number of deaths among prisoners of war at this station to December 31, 1864, was 1,264. The average number of deaths daily for the sixteen days ending December 31 was seven. As regards letters from prisoners of war being secreted out of camp, I have the honor to state that about January 1 we discovered that letters were mailed which did not pass through the hands of the examiner. We have intercepted some hundred of such letters and discovered the parties engaged in the business. One commissioned officer, one acting assistant surgeon, and two enlisted men have been arrested and charges preferred against them. We have adopted such measures for the future for the detection of parties attempting to secrete letters out of camp that it will be very difficult, if not impossible, for them to escape discovery. I would respectfully request that the application of the prisoner John Brusnan to take the oath of allegiance to the United States be recalled and he be held for exchange in case of opportunity.

I am, general, very respectfully, your obedient servant,

B. F. TRACY,

Col. 127th U. S. Colored Troops, Comdg. Depot Prisoners of War.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, Ala., January 15, 1865.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: Please inform the Secretary of War that the cotton for purchase of supplies for our prisoners was delivered to an officer appointed by General Granger to receive it on the 13th instant. The lightest draft boat in this harbor capable of taking out the cotton was selected. Her draft when loaded was about four feet. There is only one point at which such a boat can pass in or out, and then only when the tide is high. After this boat was loaded no tide came up sufficient to take her out. The cotton was then transferred to flats, and the boat thereby enabled to pass out. Before she could be reloaded a violent storm came up and caused one of the flats with the cotton on it to break adrift. Two days' delay occurred from this cause. Every effort and means have been exerted to insure prompt execution of the instructions relative to this business, and no delay has occurred which it has been in my power to prevent.

I am, general, very respectfully, your obedient servant,

DABNEY H. MAURY,
Major-General, Commanding.

[First indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 2, 1865.

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

[Second indorsement.]

FEBRUARY 4, 1865.

Colonel Bayne, for information.

J. A. S.,
Secretary.

[Third indorsement.]

FEBRUARY 6, 1865.

Respectfully returned to the Honorable Secretary of War.

The within information has been communicated to Col. Robert Ould, agent of exchange.

THOS. L. BAYNE,
Lieutenant-Colonel.

NAVY DEPARTMENT, *January 16, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: The following-named persons, belonging to the naval service, who were concerned in the destruction of the rebel ram Albemarle at Plymouth on the night of the 27th of October last, were captured and are still in the hands of the insurgents: Actg. Masters' Mates W. L. Howorth and Thomas S. Gay; Actg. Third Asst. Engineer C. L. Steever; Actg. Asst. Paymaster F. H. Swann; Actg. Third Asst. Engineer William Stotesbury; R. H. King, Wilkes, Demming, landsmen; Bernard Harley, William Smith, ordinary seamen, and Richard Hamilton, coal heaver. I have the honor to request that their names may be presented to the commissioner in order that they may receive the benefits of exchange.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

[Indorsement.]

JANUARY 17, 1865.

Respectfully referred to the Commissary-General of Prisoners, who is requested to make a note of the contents, including the names, in order that when an exchange shall be authorized these men may by no means be overlooked. The undersigned requests the return of this letter.

E. A. HITCHCOCK,
Major-General of Volunteers.

WASHINGTON, D. C., *January 16, 1865.*

Lieutenant-General GRANT, *City Point:*

The transport for the cotton reached Mobile Bay on the 16th of December, and General Granger immediately notified General Maury that he was ready to receive it. Colonel Sawtelle, who reached New Orleans January 4, says that the vessel was still waiting when he left Mobile, but no reply had been received from General Maury. General Canby says that the delay is entirely due to the rebel authorities in Mobile.

H. W. HALLECK,
Major-General and Chief of Staff.

WASHINGTON, D. C., *January 16, 1865.*

Major-General CANBY, *New Orleans:*

Mr. Ould reports to General Grant that the cotton was ready on board the lighter at Mobile on the 23d of December waiting for our transport; that our authorities had been so notified, but no answer had been returned. General Grant wishes that matter to be inquired into, and that there should be no neglect on our part to receive and transmit the cotton.

H. W. HALLECK,
Major-General and Chief of Staff.

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48 BLEECKER STREET, NEW YORK, N. Y.,
January 16, 1865.

Maj. Gen. H. W. HALLECK, *Chief of Staff, Washington, D. C.:*

GENERAL. I have the honor to inclose a letter addressed to Col. Robert Ould, Richmond, by General Beall, who went to Fort Lafayette on the 6th instant.*

Very respectfully, your obedient servant,

HALBERT E. PAINE,
Brigadier-General of Volunteers.

WASHINGTON, D. C., *January 16, 1865.*

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: You will immediately take proper measures for sending to Fort Monroe (and send them to Lieutenant-Colonel Mulford) all such persons as are described in the annexed copy of a letter from General Grant of the 13th instant, addressed to Colonel Mulford,† in order to their being exchanged without delay.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Volunteers and Commissioner of Exchange.

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
Fort Monroe, Va., January 16, 1865.

Brig. Gen. H. W. WESSELLS,
Insp. and Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to inform you that I have entered into an agreement with the Confederate authorities for a quarterly return of the names of all prisoners of war who may hereafter die at the various prison posts North and South, the conditions being to make quarterly returns of the names of all prisoners who may die within our respective lines.

This is a matter of deep interest to us as a record, and of great importance to the friends of our deceased soldiers, and I am confident it will be observed and carried out on the part of the enemy in good

* See Beall to Ould, January 5, and indorsement thereon, p. 27.
† See p. 63.

faith. I therefore respectfully request that you will issue such orders as will secure a prompt return through your office to me of the deaths occurring at the different prisons within our lines, commencing with the quarter ending on the 31st day of December, 1864.

I will promptly transmit to your office the reports made by the Confederate authorities. Soliciting a reply,

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,

Lieut. Col. and U. S. Asst. Agent for Exchange of Prisoners.

SPECIAL ORDERS, No. 12. } OFFICE COM. GENERAL OF PRISONERS, *Washington, D. C., January 16, 1865.*

* * * * * * *

X. In pursuance of instructions received at this office all prisoners of war held by the U. S. authorities in close confinement or in irons for prisoners held in like manner by the rebel authorities will be immediately released from the same and forwarded under proper guard to Fort Monroe, Va., and turned over to Lieutenant-Colonel Mulford, assistant agent for exchange. The commandants of the several prison stations are respectively charged with the execution of the order, in so far as it relates to prisoners of the class mentioned under their respective charge, and are requested to make prompt report to this office of the prisoners so disposed of.

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,

Captain and Assistant Adjutant-General.

HEADQUARTERS FORT DELAWARE, DEL., *January 16, 1865.*

Brig. Gen. A. SCHOEPF, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 14, 1865:

Conduct—good. Cleanliness—proper attention paid to. Clothing—good with a few exceptions. Bedding—bunk and blanket. State of quarters—clean and comfortable. State of mess-houses—in an excellent condition. State of kitchen—clean and well conducted. Food, quality of—very good. Food, quantity of—sufficient. Water—good and sufficient. Sinks—are kept clean. Police of grounds—well conducted. Drainage—very good. Police of hospital—well conducted. Attendance of sick—receive excellent care and attention. Hospital diet—very good and sufficient. General health of prisoners—about 6¼ per cent. are sick, ten deaths during the week. Vigilance of guard—good.

Very respectfully, your obedient servant,

GEO. W. AHL,

Captain, Acting Assistant Adjutant-General and Insp. Officer.

HEADQUARTERS WEST'S BUILDINGS HOSPITAL,
Baltimore, Md., January 16, 1865.

Surg. A. CHAPEL, U. S. Volunteers, *Commanding Hospital:*

SIR: I have the honor to transmit the following inspection report of the condition of the prisoners of war at this station for the week ending January 14, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient. Bedding—good. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—excellent. Food, quantity of—sufficient. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—excellent. Hospital diet—good. General health of prisoners—good as could be expected from the nature of their wounds and diseases. Vigilance of guard—good.

Very respectfully, your obedient servant,

HORATIO ROBERTS,
Second Lieut., Veteran Reserve Corps, and Inspecting Officer.

HEADQUARTERS MILITARY PRISON,
Wheeling, W. Va., January 16, 1865.

Col. JAMES WASHBURN, *Military Commander of Wheeling:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 15, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—good. State of quarters—fine. State of mess-houses—good. State of kitchen—clean and in good order. Food, quality of—first rate. Food, quantity of—sufficient. Water—good. Sinks—good and clean. Police of grounds—good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—in conformity to surgeon's instructions. General health of prisoners—very good. Vigilance of guard—good.

Remarks and suggestions.—I would most respectfully represent to your consideration the want of fresh air in all the prison rooms of this building. To my knowledge there are no means provided for to procure this indispensable and valuable gift of God, the windows being all barred and therefore cannot be opened. There being no other means of ventilation connected with the prison, the air necessarily at times becomes so heavy and corrupt that the occasional sickness of the prisoners confined cannot but be attributed to this grievous want of fresh air.

I am, colonel, very respectfully, your obedient servant,

EDWIN FREY,
Lieutenant-Colonel, Commanding Prison, and Inspecting Officer.

[First indorsement.]

Respectfully referred to the Commissary-General of Prisoners.

JAMES WASHBURN,
Colonel 116th Ohio Volunteer Infantry, Commanding Post.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 20, 1865.

Respectfully returned to Col. J. Washburn, commanding Wheeling, W. Va., for report of the steps taken to obviate the defects in ventilation.

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS MILITARY COMMANDER,
Wheeling, W. Va., January 23, 1865.

Respectfully returned, stating that the defect in ventilation has been obviated by opening the upper sash of the windows.

JAMES WASHBURN,
Colonel 116th Ohio Volunteer Infantry, Military Commander.

OFFICE PROVOST-MARSHAL OF PRISONERS,
Rock Island Barracks, Ill., January 16, 1865.

Col. A. J. JOHNSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 16, 1865:

Conduct—very good. Cleanliness—good. Clothing—good. Bedding—none. State of quarters—very good. State of mess-houses—no mess-houses. State of kitchen—very good. Food, quality of—good. Food, quantity of—as per circular from Commissary-General of Prisoners. Water—good. Sinks—not good. Police of grounds—very good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—very good. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. P. CARAHER,
Lieutenant-Colonel Fourth Regiment Veteran Reserve Corps and Provost-Marshal of Prisoners, Inspecting Officer.

[Indorsement.]

The weather still remains calm and pleasant. Two hundred and eighty-one prisoners leave this day for exchange via Cairo. Very few (twenty-three) accepted the privilege of taking the oath, nearly all alleging that as soon as they were exchanged they would desert and go home. The within report is concurred in.

Respectfully referred to the Commissary-General of Prisoners.

A. J. JOHNSON,
Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

U. S. TRANSPORT ATLANTA,
Mobile Bay, January 16, 1865.

[Maj. JAMES E. MONTGOMERY:]

MAJOR: I respectfully report that in checking off the cotton from the rebel steamer Waverly we found it to contain only 997 bales, and it was

in very bad condition. I of course only signed bills of lading for the amount received and its condition. I inclose herewith a copy of my communication to General Maury in forwarding the bills of lading.* I forward by the schooner Highlander to Captain Perkins, assistant quartermaster, New Orleans, for transportation to me at New York, 170 bales (under the statement I sent you yesterday), and shall sail on the Atlanta for New York to day with 827 bales.

I have written Colonel Holabird and Captain Perkins at New Orleans definitely all the circumstances, requesting to have the cotton on the schooner forwarded to me at New York by first transportation. I stated to Colonel Holabird that you would probably write him in relation to the matter.

Very respectfully, your obedient servant,

FRANK G. NOYES,
Captain and Commissary of Subsistence.

RICHMOND, *January 16, 1865.*

Brig. Gen. JOHN H. WINDER, *Columbia, S. C.:*

Has the construction of the military prison at Columbia been abandoned, and is not a new one being built? Answer fully.

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., *January 17, 1865.*

Lieut. Gen. U. S. GRANT:

SIR: Brigadier-General Vance, or any other officer whom General Beall may select as his assistant, will be acceptable to the Confederate authorities.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

NAVY DEPARTMENT,
Washington, D. C., January 17, 1865.

[Maj. H. A. ALLEN, *Fort Warren, Mass.:*]

SIR: You will please discharge from Fort Warren the officers and seamen that were captured in the insurgent steamer Florida on the expressed condition that they leave the United States within ten days after their liberation.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

NEW YORK, *January 17, 1865.*

Hon. E. M. STANTON:

The court ordered for the trial of Captain Beall, of the rebel service, as a spy met at Fort Lafayette this morning. Will commence their proceedings on Friday, two days having been given to him for preparation. He asks that Roger A. Pryor, a fellow-prisoner, may be allowed

*Not found.

to act as his counsel. I think that it would be best on every account that his request should be granted; but as Pryor is a prisoner of war your permission seems to me necessary to warrant his appearance before the court in that capacity. If the permission is not given he will probably ask the court to allow him to employ leading counsel from this city.

JOHN A. DIX,
Major-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 17, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange of Prisoners, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, and of the letter of the Secretary of the Navy, referred on the 4th instant, in relation to the exchange of naval prisoners now held by the rebels in Texas. The authority given to exchange Admiral Buchanan removes the last difficulty in securing the exchange of these prisoners. I will at once communicate with General E. K. Smith, and hope soon to be able to report that they have been exchanged.

As the balance of prisoners of war in this command is now considerably in our favor, I should be gratified to receive authority to continue the exchange. The reasons that induced General Grant to interdict it do not obtain with our prisoners west of the Mississippi. We shall gain more by the return of our men than the rebels will by their equivalents.

Very respectfully, sir, your obedient servant,
ED. R. S. CANBY,
Major-General, Commanding.

[First indorsement.]

JANUARY 30, 1865.

Respectfully transmitted to the Secretary of War, with a recommendation that General Canby's suggestions be approved.

E. A. HITCHCOCK,
Major-General of Volunteers.

[Second indorsement.]

JANUARY 31, 1865.

Approved.

EDWIN M. STANTON,
Secretary of War.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, January 17, 1865.

Brig. Gen. D. ULLMANN,
Commanding U. S. Forces, Morganza, La.:

By direction of the major-general commanding you will please dispatch a flag of truce to the nearest outpost of the enemy toward Simsport bearing a certified copy of the following communication, addressed and to be forwarded by courier to Maj. Ig. Szymanski,

assistant agent of exchange, care of Major-General Buckner, Alexandria, La.:

NEW ORLEANS, LA., *January 17, 1865.*

Maj. IG. SZYMANSKI, *Assistant Agent of Exchange, &c.:*

MAJOR: I have this morning received dispatches from Washington which inform me that all the prisoners of war of the Helena capture, of the Fort Butler capture, and of General Steele's capture were on the 30th ultimo ordered to be sent from the Northern stations where confined to this city for exchange under our cartel of July 28. They are, I presume, now en route for New Orleans and may be expected here within one week.

I am also enabled to inform you that Admiral Buchanan will be included in the exchange of naval prisoners, and will be delivered with his comrades captured in Mobile Bay immediately after the reception by me of the naval prisoners from Camp Ford.

Please to inform me when you can have the prisoners in exchange for the above at Red River Landing.

I am, major, very respectfully, &c.,

CHAS. C. DWIGHT,
Colonel and Agent for Exchange.

You will please forward the copy of this communication, stating that it was received by telegraph.

I am, general,

C. C. DWIGHT,
Colonel and Agent for Exchange, &c.

OFFICE COM. GEN. PRISONERS WEST OF THE MISSISSIPPI,
January 17, 1865.

Col. J. H. BAKER, *Provost-Marshal-General, Saint Louis, Mo.:*

COLONEL: The recommendations in favor of transferring the military prisons in Saint Louis to the Palm Foundry, received from the provost-marshal general, have been submitted to Major General Halleck, chief of staff, and have not been approved by him. I think it very doubtful whether any change will be authorized unless it is clearly shown that the buildings which have been occupied up to this time are no longer tenable.

Very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Com. Gen. Prisoners West of the Miss.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, January 17, 1865.

Hon. JAMES A. SEDDON, *Secretary of War:*

DEAR SIR: The General Assembly of this State has authorized me to purchase $200,000 worth of cotton or tobacco and to make all possible efforts to ship the same in connection with the shipments of the Confederate Government for the relief of prisoners of war. This fund is intended to be additional to that which has been provided by the Confederate Government. In view of the great suffering and wants of our brave and noble soldiers now confined in Northern prisons, I am exceedingly anxious to effect the wishes of the General Assembly, and most respectfully request your co-operation.

With much respect, your obedient servant,

Z. B. VANCE.

COLUMBIA, *January 17, 1865.*

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

The original location for prison, five miles below Columbia, has been abandoned by order of the President. Another locality, fourteen miles above Columbia, on the Charlotte railroad, has been selected and a considerable quantity of timber has been gotten out, and we shall continue the construction unless you think it unsafe. We have been delayed, waiting for the opinion of the district attorney as to the title to the land and the want of the purchase money, and now we are delayed, as the time of the last year's labor has expired and that for this year we have not been enabled yet to procure. Ask the Quartermaster-General to send the purchase money at once. He has been telegraphed to.

JOHN H. WINDER,
Brigadier-General.

[Indorsement.]

Respectfully submitted to His Excellency the President.

JOHN W. RIELY,
Major and Assistant Adjutant-General.

(Copies to the Honorable Secretary of War and Quartermaster-General.)

GENERAL ORDERS, No. 6. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, January 18, 1865.*

A proposal having been made by Robert Ould on the 22d of August last to "let all prisoners of war on each side be released from confinement (close) or in irons, as the case may be, and either placed in the condition of other prisoners or sent to their respective homes for their equivalents," which proposal was duly approved by the Secretary of War, it is hereby ordered that all Confederate prisoners of war that come within the terms of said accepted proposal be released and sent to Fort Monroe, there to be detained, subject to the orders of Lieut. Col. John E. Mulford, agent for the exchange of prisoners, to enable him to carry the proposal into effect. In executing this order the expression "confinement (close)" will be construed as meaning prisoners confined in cells.

By order of the Secretary of War:

W. A. NICHOLS,
Assistant Adjutant-General.

RICHMOND, *January 18, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: The Confederate authorities have been informed that the Hon. C. C. Clay, sr., and another prominent gentleman of Huntsville, Ala., have been arrested and taken to Nashville, where they are held as hostages for the safety of Judge Humphreys, formerly of the Confederate Army, and more lately a citizen of Madison County, Ala. Judge Humphreys was arrested by General Roddey, as I have been informed, for disloyalty. When that fact was made known to the Confederate authorities his release was ordered. It is not known whether he has

been detained at all; but be that as it may, there is no purpose to hold him in custody. Major-General Withers reports that he is not in his custody. I hope, therefore, that orders will immediately issue for the release of Mr. Clay and his companion. If Judge Humphreys is not now at liberty, he will be released as soon as directions to that effect can be given to the proper authority.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *January 18, 1865.*

Lieut. Col. JOHN E. MULFORD,
Assistant Agent of Exchange:

SIR: As we have agreed to relieve from close confinement or irons, as the case may be, and deliver all prisoners heretofore or now so held on either side, I beg leave to call your attention to the cases which have been brought to the notice of the Confederate authorities.

Your letter of the 10th of September last gave only a very partial list of the Confederate soldiers who were so held. In addition to those named therein are the following, viz:

Private George P. Simms, Private W. S. Burgess, Private John Marr, Private Thomas M. Campbell, Capt. D. G. Douglas, Captain Davis, Captain Smith, Captain Miller, and Lieut. A. C. Smith, Nineteenth Tennessee, at Johnson's Island; Capt. James P. Brown, Tennessee cavalry; First Lieut. R. J. Brailsford, First Texas Legion; First Lieut. R. H. C. Bailey, Foster's cavalry, and First Lieut. A. W. Dozier, Sixth South Carolina Cavalry, at Fort Delaware.

The last four named officers were reported to me by General Butler on the 18th of July last as being "in cells."

Major Mills and Lieutenant Davis, at Fort Delaware; Private Philip Trammell, Private John H. Barnes, Private J. R. H. Embert, Private Braxton Lyon, Private Samuel B. Hearn, Private Samuel Cooper, Private C. McDonnell, and Private Ro. Harrover, Albany penitentiary; Private Jacob S. Dyer, Private Daniel H. Wherret, Second Kentucky Cavalry; Private Albert W. Cushman, Col. John H. Winston, and Capt. Joseph Melton, Alton penitentiary; Capt. Frank B. Gurley, Lieutenant Mosely, and Lieutenant Bridges, Nashville; Captain Compton, Fort McHenry; Private John R. Guthwright, Fourth Kentucky Cavalry, Cincinnati; Surg. D. D. Carter, Fort Lafayette; Captain Glover and three privates, Chattanooga; Lieut. John H. Yerby, Lieutenant Casteel, Lieutenant Thomas, Private Thomas [A.] Quarles, Private Thomas Stoneham, and Private John [G.] Smith, Helena jail; Capt. J. B. Castleman, Camp Morton; Capt. Gustave A. Huwald and Captain Reynolds, Sixty-fourth North Carolina (in iron cage), Knoxville; Lieut. C. D. Burbridge, Gratiot Street Prison, Saint Louis; Private A. A. Williams, Maryland cavalry, and Private Hiram P. Richardson, Maryland cavalry, Fort Warren; Corpl. F. M. Armstrong, Sixteenth Missouri, Saint Louis; Lieutenant Gandy and Private George Dusky, Wheeling; Col. J. D. Morris and Maj. T. Steele, Lexington.

All of the above-named parties are either in close confinement or in irons. It may be that some of them are not now at the place indicated. You may, however, rest assured that they have been there at some time, and if transferred you can readily find out where they are. I am quite confident you will find quite a number in irons or close confinement at Alton, at Saint Louis, and in Tennessee and Kentucky.

I also understand there are 100 of Col. Adam R. Johnson's men and some 25 of Morgan's, embracing three or four officers who are now held, at Louisville not as prisoners of war.

Let me again earnestly commend this whole subject to your attention. If we can succeed in relieving all prisoners of war, on both sides, from a cruel confinement, we will have accomplished a good deal in the cause of humanity. I am ready to deliver all whom we have in close confinement or in irons at any moment.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

MORGANZA, *January 18, 1865.*

Col. CHARLES C. DWIGHT:

After an unsuccessful attempt on the Simsport road I succeeded this afternoon in having your dispatch to Major Szymanski delivered on the Fordoche road to Bart Johnson, Captain Third Arkansas, C. S. Army.

DANL. ULLMANN,
Brigadier-General, Commanding.

J. M. Aiken, Forty-third Tennessee Cavalry, application to be exchanged.

[Indorsement.]

JANUARY 18, 1865.

Returned to Adjutant and Inspector General.

This class of cases depends upon the same principles that govern the others. The Federal theory, based upon their General Orders, No. 207, 1863, is that prisoners are to be kept in possession and delivered by flag of truce at some point previously agreed upon by competent contracting parties. If through choice or necessity paroled parties are released in any other way, the parole is made null and void. The parole exacted by General Stoneman has been declared by the general orders of his Government illegal and void. We have been compelled to adopt this rule, though denouncing its propriety in the first instance. The alternative of sending a Federal officer in no respects alters the case. These parties are free in honor and conscience to return to duty immediately. They are safe even according to Federal standards. They need not fear their safety in the event of capture.

[RO. OULD.]

Edward A. Pollard, asking that Richardson, correspondent of Tribune, be given in exchange for him.

[Indorsement.]

JANUARY 18, 1865.

Returned to Mr. Pollard.

I am compelled by a sense of duty to decline the proposed exchange. I have already refused to exchange Richardson for a half dozen different-named parties. It would be unjust to them if a proposal heretofore declined were accepted now. We have all along held that the arrest and detention of non-combatants should be determined by rule, and that the principle of exchange, man for man, should not be applied to them. And further, whenever the fortunes of war threw a prominent

Yankee in our hands, we should hold him for the purpose of forcing the U. S. authorities into some just rule as to the treatment of non-combatants.

[RO. OULD.]

CITY POINT, VA., *January 19, 1865.*

Lieut. Col. J. E. MULFORD, *Assistant Agent of Exchange:*

The Right Rev. Alfred Lee, D. D., of Delaware; Rev. Bishop E. S. Janes, D. D., of New York, and H. G. Jones, esq., of Philadelphia, are appointed by the U. S. Christian Commission to visit our prisoners held by the C. S. authorities. If these gentlemen are permitted to pass through the lines south on their mission, a like number of gentlemen from the Confederate States will be allowed the privilege of visiting their prisoners in the North. The letter herewith addressed to Judge Ould contains an application for the necessary authority for them to proceed on their mission. You will therefore please forward it at the earliest possible moment, and should the authority asked for be granted, afford these gentlemen every means in your power to facilitate their getting through.

By command of Lieutenant-General Grant:

JNO. A. RAWLINS,
Brigadier-General and Chief of Staff.

[Inclosure.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
January 19, 1865.

Col. R. OULD, *Agent of Exchange:*

SIR: Inclosed I send you the names of a number of gentlemen who have been selected by the U. S. Christian Commission to go South for the purpose of visiting such prisons as they may be allowed to visit containing Federal prisoners of war, and to see, for the body of which they are members and for the public generally, their condition and circumstances. Three of these gentlemen are now here awaiting your action. I will state that any privilege you will grant in this matter will be extended to an equal number of gentlemen sent from the South for similiar purposes. Should this favor be granted it will probably serve to satisfy the friends of prisoners, both North and South, of the exaggeration of the reports of suffering so rife in both sections.

I would respectfully ask a reply to this at your earliest convenience.

Very respectfully, yours,

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSIONER OF EXCHANGE,
January 19, 1865.

The Honorable SECRETARY OF WAR:

In obedience to the telegram I have the honor to transmit herewith copies of all the correspondence that remains in the office of the Commissioner of Exchange of Prisoners relating to that subject.*

Action having been taken thereon by the Secretary of the Navy, by the Lieutenant-General, by General Hitchcock, and by Colonel Hoffman,

* The inclosures are embraced in list following Townsend to Stanton, January 21, p. 98.

there is correspondence necessary to give a complete history of the matter of exchange of prisoners since I have had the honor to be commissioner of exchange.

I have the honor to be, very respectfully, your obedient servant,

BENJ. F. BUTLER,
Major-General and Commissioner of Exchange.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 19, 1865.

Col. B. F. TRACY,
Commanding Depot Prisoners of War, Elmira, N. Y.:

COLONEL: Your letter of the 5th instant, requesting that the balance of the requisition for clothing made by you on the 1st ultimo may be forwarded to Elmira, has been received. The requisitions were held awaiting your reply to letter of the 12th ultimo from this office, which explained the necessity of strict economy in the issue of clothing to rebel prisoners at the present time, and requested that you would report your views on the necessity of such issue at Elmira, N. Y. No reply to this letter has been received, and the requisitions are still in this office. The clothing received by you was sent to Elmira by mistake, and was no part of that required for by you. It was reported as issued before the error was discovered. As the cotton from the South referred to in my letter of the 12th ultimo is daily expected, you will please make immediate requisition for such clothing as may be absolutely necessary within the next three or four weeks, after which time it is hoped clothing from the rebel authorities may be ready for issue.

Very respectfully, your obedient servant,

H. W. WESSELLS,
Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

WASHINGTON, D. C., *January 19, 1865.*

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: You will please include Capt. William S. Waller and Capt. Shultz Leach, both prisoners of war at Johnson's Island, among the officers to be exchanged under the arrangement for the relief of officers in close confinement or in irons, and send them to Fort Monroe, to be disposed of by Lieutenant-Colonel Mulford under that arrangement, sending Colonel Mulford a copy of this order as instructions to him. These officers have not been in irons nor in cell confinement, though supposed to have been by the Southern authorities. They are, however, sent for exchange in order to remove every possible objection which might be raised against the execution of the arrangement referred to.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 19, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: In compliance with Special Orders, No. 12, from your headquarters, I have the honor to report that there are no prisoners at this post

of the class mentioned in said order. There is a prisoner in irons here, a citizen, supposed to be a Saint Albans raider, and undergoing trial at this time, but does not come under your order.

Very respectfully, your obedient servant,

MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 19, 1865.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.:

SIR: The officers and seamen of the steamer Florida are willing to give their parole to leave the United States within ten days after liberation, but they have not sufficient money to do so. They wish to be put on board of a steamer for Europe, but do not wish to be landed in Boston for fear of a mob. There are fifty in all.

Very respectfully, your obedient servant,

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

WAR DEPARTMENT, *Washington City, January 19, 1865.*

Major-General DIX, *New York:*

Under no circumstances can prisoners of war be allowed to act as counsel for a person accused of being a spy.

C. A. DANA,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
EXCHANGE BUREAU,
Richmond, Va., January 19, 1865.

GENTLEMEN: In response to the inclosed resolution of inquiry of the Legislature of Virginia* in relation to the transmission of supplies to Confederate prisoners in the North I have the honor to submit the following report:

At the outset I would respectfully request your attention to the inclosed correspondence between the Hon. Robert Ould, agent of exchange on the part of the Confederate States, and Lieut. Gen. U. S. Grant, commanding Armies of the United States,† for full information as to the agreement made between the two Governments for furnishing supplies to prisoners both on public account and by private contribution. It has been agreed that all private contributions shall be received at designated points and delivered free of cost by the party holding the prisoners for whom the supplies are intended. Prior to the 1st of November, 1864, and previous to the completion of the present extensive arrangements, we were enabled by the comparative regularity of the flag-of-truce boats to forward these individual contributions with but little delay. During the months of November and December we were engaged in the reception and delivery of prisoners at Savannah and

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*Not found.

†See Ould to Grant, October 30, 1864, Vol. VII, this series, p. 1063, and resulting correspondence.

Charleston, and we had no communication by flag of truce at the James River throughout the whole of that time. To have sent such a large number of packages as had collected here to Savannah or Charleston for shipment would, under the existing difficulties of transportation, have been simply a matter of impossibility. It will be seen, therefore, that as we have no control over the movements of the flag-of-truce boat, the present vast accumulation of freight at this point is due to circumstances altogether unavoidable. That you may form some idea of the difficulties in the way of forwarding this freight with the desired promptitude, I deem it proper to state that owing to the obstruction of the river for military purposes we have to put off all packages at Boulware's Wharf, about two miles below Chaffin's Bluff, from which point they have to be transported in wagons to Varina, a distance of four miles, and placed on board the Federal flag-of-truce boat.

At our interview with Lieutenant-Colonel Mulford, the Federal assistant agent of exchange, on the 10th instant, which is the first we have had since the completion of our operations in the south, we endeavored to make arrangements for the delivery and reception of all the freight on hand, but owing to the excessive rains about that time both the river and roads were in such a condition as to render either its delivery or reception utterly impracticable.

We are daily expecting the arrival of Lieutenant-Colonel Mulford at Boulware's Wharf, and he has agreed to remain there until all the supplies for our prisoners are delivered to him.

We cannot suggest any remedy for the difficulties of transportation, as it is impossible, in the obstructed condition of the river, to lessen the distance between the places of anchorage of the respective truce boats, nor can we at this time suggest any other point where the same difficulties will not have to be overcome.

I have the honor to be, very respectfully, your obedient servant,

W. H. HATCH,
Assistant Agent of Exchange.

[Indorsement.]

This report was made by Captain Hatch, my assistant, who had special charge of the subject matter. I, however, know the facts therein stated to be correct.

RO. OULD,
Agent of Exchange.

RICHMOND, *January 19, 1865.*

J. J. ABBOTT,
Agent U. S. Christian Commission, Washington, D. C.:

SIR: Your letter of October 28th last only reached me to day. You can make the inquiries indicated, and any information in possession of the Confederate authorities will be cheerfully communicated. I have already entered into an agreement with the Federal authorities to furnish and receive quarterly returns of deaths of prisoners. A copy of such returns would give you tolerably full information. I take it for granted the U. S. agent will furnish you such a copy. Any inquiry outside of such returns will receive respectful attention.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *January 19, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Quite a number of privates belonging to Mosby's command are in Fort Warren. Among them are Privates Fitzhugh, Gunnell, Gough, Jarboe, Spencer, Tolson, Woodhouse, Ward, Lambert, Maddox, Pomeroy, Coffman, Crowely, Davis, and Sergeant Rowzee. I beg leave to inquire whether they are considered as prisoners of war; and if not, why? They are all regularly enlisted soldiers in the Confederate service—as much so as any in the field. I understand that some of the party were put upon the list of those to be delivered by the surgeons, but that the Federal authorities refused to send them.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

ON BOARD FLAG-OF-TRUCE STEAMER,
Mouth of Red River, January 19, 1865.

Maj. Gen. S. B. BUCKNER,
Commanding District of Louisiana:

GENERAL: I have the honor to inform you that I have at this point for exchange 168 officers, prisoners of war, of the C. S. forces of the Trans-Mississippi Department, who are embraced in the cartel between Major Szymanski and myself, of July 28, 1864. I desire to deliver them on parole to await the delivery of their equivalent.

A dispatch addressed to Major Szymanski, in your care, intended to notify him of the arrival of these prisoners, was sent from Morganza this morning in the hope of reaching him before he should leave Alexandria. Fearing that he may have left Alexandria before that dispatch may have reached him, and that it may have been forwarded without its contents being known to you, I send this to request that if Major Szymanski has left Alexandria you will send a boat to the mouth of Red River upon the receipt of this, with some officer who may be authorized to receive and receipt for these prisoners. They are of the Helena and other captures in Arkansas, and of that at Donaldsonville, La. The comfort of the prisoners depends very much upon their prompt reception by you.

I have also to request that if Major Szymanski shall have left Alexandria before the receipt of this you will notify him of the delivery of these prisoners with as little delay as possible.

I am, general, very respectfully, your most obedient servant,

CHAS. C. DWIGHT,
Comr. and Agent of Exchange, Mil. Div. of West Mississippi.

RICHMOND, *January 19, 1865.*

Honorable SECRETARY OF WAR:

DEAR SIR: Allow me most respectfully to call your attention to an evil which demands immediate remedy. On yesterday I visited that part of Castle Thunder occupied by the Yankee deserters. This gave me an opportunity of knowing something of their situation. Permit me to say it is one of very great discomfort—so much so that if the weather should become colder or the present cold continue, some of them must freeze, to say nothing of other discomforts. I am the post chaplain at Camp Lee.

Yours, very respectfully,

HENRY BROWN.

[First indorsement.]

JANUARY 20, 1865.

Respectfully returned to Honorable Secretary of War.

The complaint is well founded. These men sometimes pass the night without fire. The quartermaster of prisons is forbidden to get fuel except through the regular channels. I have forwarded repeated complaints without remedy. I do not doubt that there has been considerable loss of life already at the Libby and Castle Thunder from this cause. The fault is with those officers whose duty it was to furnish a supply of fuel, and who have not made proper provisions.

IS. H. CARRINGTON,
Provost-Marshal.

[Second indorsement.]

QUARTERMASTER-GENERAL'S OFFICE,
Richmond, January 25, 1865.

Respectfully referred to Maj. J. C. Maynard.

By order of Quartermaster-General:

CH. MIMS,
Captain and Assistant Quartermaster.

[Third indorsement.]

QUARTERMASTER'S OFFICE, *Richmond, January 26, 1865.*

Respectfully referred to Captain Weisiger for attention.

There is now plenty of wood at the yard with which to supply all reasonable demands.

J. C. MAYNARD,
Major and Quartermaster.

[Fourth indorsement.]

ASSISTANT QUARTERMASTER'S OFFICE,
Richmond, January 26, 1865.

Respectfully returned to Major Maynard.

You are aware of the difficulty in procuring wood for the last ten days. I borrowed wood several days to fill requisitions made upon this office and was not aware that any suffering had existed at the prisons. My receipts for the last two days have increased, and trust there will not be any further cause for complaint.

Very respectfully,

WM. W. WEISIGER,
Assistant Quartermaster.

[Fifth indorsement.]

Respectfully returned to the Quartermaster-General.

J. C. MAYNARD,
Major and Quartermaster.

[Sixth indorsement.]

QUARTERMASTER-GENERAL'S OFFICE, *January 27, 1865.*

Respectfully returned to Honorable Secretary of War and attention invited to Major Maynard's indorsement.

It is believed that all proper calls for wood can now be supplied.

A. R. LAWTON,
Quartermaster-General.

RICHMOND, *January 19, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I beg leave to call your attention to the accompanying letter which I addressed to you on the 25th of November last.* It relates to subjects of considerable importance, and I will be obliged to you for a distinct reply.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

Surg. John H. Hunter, inclosing letter to Secretary of War, asking for instructions relative to paroles.

[Indorsement.]

JANUARY 19, 1865.

Returned to the Surgeon-General.

In no aspect of the cases are these paroles to be respected. First. By agreement, surgeons are to be unconditionally released. Second. If the parole was regular and proper in every respect, recapture makes it null and void. How any military person could doubt this is amazing. Third. The Federal theory, based upon their General Orders, No. 207, 1863, is that prisoners are to be kept in possession and delivered by flag of truce at some point previously agreed upon by competent contracting parties. If, through choice or necessity, paroled parties are released in any other way the parole is null and void. The parole exacted by General Stoneman has been declared by his own Government illegal and void. Fourth. It would be useless to send these surgeons North, as they would be immediately sent back. They have something more serious to attend to than such "shuttlecock and battledoor." They can go to duty immediately without any sacrifice of honor.

[RO. OULD,
Agent of Exchange.]

WASHINGTON, D. C., *January 20, 1865.*

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: You will please send to Fort Monroe for the disposal of Lieutenant-Colonel Mulford, in pursuance of certain arrangements effected by him with the rebel authorities, the following-named officers, prisoners of war at Johnson's Island, viz: Colonel Penn, of Louisiana; Colonel Powell, Fifth Texas; Col. A. W. Harman, Twelfth Virginia Cavalry; Col. Malcomb D. Graham; Maj. R. McCann; Capt. John Tayloe; Capt. Robert H. Davis; Captain Whitfield, First Alabama; Capt. J. R. Hutter, Eleventh Virginia Infantry; Capt. Charles B. Trevilian; Lieut. J. D. Van Benthuysen; Lieut. Charles Norvell, Twelfth Virginia Cavalry; Capt. Claiborne Snead, Third Georgia; Capt. J. Dudley Whitehead, Third Virginia; Capt. W. B. Seawell, Twelfth Louisiana Battalion Artillery; Lieut. William J. Stanford, Forty-sixth Alabama.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

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* See Vol. VII, this series, p. 1159.

WASHINGTON CITY, D. C., *January 20, 1865.*

Lieut. Col. JOHN E. MULFORD, U. S. Army, &c.:

SIR: Your communication of the 15th instant, covering copies of nine several communications from Mr. Ould of various dates, some as far back as November, has just been received, all of which will be attended to. I desire to say at once that I am ready to consider all of the cases of close confinement referred to by Mr. Ould as coming within the purpose of the recent agreement for the mutual exchange of all that class of persons, and presuming that this will be satisfactory to Mr. Ould, I shall direct General Wessells to send the parties named to Fort Monroe for your disposition.

It is not my design nor desire to retain any one who, by implication even, can be supposed to be entitled to the benefits of the agreement referred to, and I venture to hope that with this assurance immediate relief may be given to such prisoners in the South as also are entitled to the benefits of that agreement.

Some of the communications inclosed in yours of the 15th instant are inquiries which will be answered as soon as I can obtain the necessary information.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Vols., Commissioner for Exchange of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 20, 1865.

Lieut. Col. JOHN E. MULFORD,
Assistant Agent for Exchange, Fort Monroe, Va.:

COLONEL: I have the honor, by direction of the Commissary-General of Prisoners, to acknowledge the receipt of your communication of the 16th instant in relation to the exchange of rolls of deceased prisoners, and to inform you that the rolls will be promptly forwarded as soon as they can be prepared.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[JANUARY 20, 1865.—For report of captures by the Army of the Cumberland from September 7, 1864, to January 20, 1865, see Series I, Vol. XLV, Part I, p. 47.]

COLUMBIA, *January 20, 1865.*

General S. COOPER:

I am at a loss to know where to send prisoners from Florence. In one direction the enemy are in the way. In the other the question of supplies presents an insuperable barrier. I again urge paroling the prisoners and sending them home. I have consulted the Governor and General Chesnut, who both urge that they be paroled. The guard is very weak and insufficient to take care. At once give full instructions.

J. H. WINDER,
Brigadier-General.

Tucker, Spence, Amiss, board of surgeons. Report of permanently disabled men (Federal prisoners) in hospital and barracks.

[Indorsement.]

JANUARY 20, 1865.

Returned to Honorable Secretary of War.

I expect to send the disabled officers and men by next flag of truce. I am satisfied that an agreement to unconditionally release all disabled men would result to our disadvantage, simply because the enemy would not carry it out in good faith. They would, perhaps, make the agreement, but would not execute it.

There has existed for some time some such understanding. To unconditionally release the Federal disabled would be to surrender the advantage of charging them in account. Nay, more, we would not receive the few in similar condition that under present arrangements are sent to us. If the medical director knew as much of Yankee bad faith as I do, he would not entertain his proposition a moment.

[RO. OULD.]

WAR DEPARTMENT, *Washington City, January 21, 1865.*

Hon. SCHUYLER COLFAX,

Speaker of the House of Representatives:

SIR: In answer to the resolution of the House of Representatives of the 21st of December, calling for the correspondence in reference to the exchange of prisoners, I have the honor to submit herewith the report of the Adjutant-General, together with such communications upon the subject as have not heretofore been published.

The correspondence of Major-General Butler details the action in regard to the exchange of prisoners under the authority conferred upon him by the order of the War Department.

On the 15th of October the subject of exchanges was placed under the direction of Lieutenant-General Grant, with full authority to take any steps he might deem proper to effect the release and exchange of our soldiers and of loyal persons held as prisoners by the rebel authorities. He was instructed that it was the desire of the President that no efforts consistent with national safety and honor should be spared to effect the prompt release of all soldiers and loyal persons in captivity to the rebels as prisoners of war, or on any other grounds, and the subject was committed to him with full authority to act in the premises as he should deem right and proper. Under this authority the subject of exchanges has from that time continued in his charge, and such efforts have been made as he deemed proper to obtain the release of our prisoners.

An arrangement was made for the supply of our prisoners—the articles to be distributed under the direction of our own officers, paroled for that purpose, and the corresponding privilege was extended to the rebel authorities. In order to afford every facility for relief, special exchanges have been offered whenever desired on behalf of our prisoners. Such exchanges have in a few instances been permitted by the rebel authorities, but in many others they have been denied.

A large number of exchanges, including all the sick, has been effected within a recent period. The Commissary-General of Prisoners has been directed to make a detailed report of all the exchanges that have been accomplished since the general exchange ceased. It will be furnished to the House of Representatives as soon as completed.

The last communication of General Grant gives reason to believe that a full and complete exchange of all prisoners will speedily be made. It also appears from his statement that weekly supplies are furnished to our prisoners and distributed by officers of our own selection. His letter is subjoined as follows:

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, D. C., January 21, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have authorized Colonel Mulford, agent of exchange, to renew negotiations for the exchange of all prisoners now held by either party. The first interview between our agent and Colonel Ould, rebel agent, has already been had. No doubt but that an arrangement will be entered into. Indeed, on the strength of that interview an exchange—limited one—is now going on near Richmond.

Yours, truly,

U. S. GRANT,
Lieutenant-General.

We are sending supplies to our prisoners at least weekly. They are received by officers of our own selection (released Federal prisoners), who distribute them as directed.

U. S. G.

Supplies furnished by friends of prisoners are also forwarded for distribution in the same manner. The nature of the supplies authorized to be furnished by individuals is specified in the annexed order of the Department.*

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 21, 1865.

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: In compliance with your instructions I have the honor to submit herewith copies of communications in reference to the exchange of prisoners of war, called for by resolution of the House of Representatives, dated December 21, 1864.†

The copies embrace correspondence between Lieutenant-General Grant, General-in-Chief; Major-General Butler, commanding Department of Virginia and North Carolina; Major-General Halleck, chief of staff; Major-General Hitchcock, commissioner, and Lieutenant-Colonel Ludlow, agent for exchange of prisoners, with General R. E. Lee, and Mr. Robert Ould, the commissioner of the rebel government; between Major-General Banks, commanding Department of the Gulf, and the rebel Generals R. Taylor and Green, in Louisiana; between Major-General Foster, commanding Department of the South, and the rebel General S. Jones, at Charleston; also communications on the subject of exchanges, with Major-Generals Canby, at New Orleans, Buell and Burbridge, in Kentucky, Curtis, in Missouri, Rosecrans, in Tennessee, Schenck, at Baltimore, and William T. Sherman, at Atlanta.

The correspondence extends over a period of time from June, 1862.

I am, sir, with great respect, your most obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

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*See Vol. VII, this series, p. 1198.

†The papers submitted herewith, and which appear in chronological order in this publication, are enumerated in the following list prepared in the War Records Office. The documents, as herein printed, are true copies of the originals (or official copies thereof) on file in the War Department, and are published irrespective of their publication in Executive Document No. 32, House of Representatives, Thirty-eighth Congress, second session.

List of documents accompanying the foregoing letter.

Document.	Date.	Reference.		
		Series.	Volume.	Page.
Stanton to Grant	Oct. 15, 1864	2	7	988
Ould to Stanton	Oct. 7, 1864	2	7	929
Ould to Mulford	Oct. 6, 1864	2	7	926
Grant to Butler	Apr. 14, 1864	2	7	50
Butler to Grant	Apr. 20, 1864	2	7	76
Grant to Butler	Apr. 20, 1864	2	7	76
Grant to Stanton	Dec. 30, 1864	2	7	1296
Grant to Ould	Dec. 24, 1864	2	7	1264
Ould to Grant	Dec. 27, 1864	2	7	1281
Grant to Ould	Dec. 28, 1864	2	7	1289
Special Orders, No. 159, Headquarters Armies United States	Dec. 28, 1864	2	7	1291
Rawlins to Butler	Dec. 28, 1864	2	7	1291
Ould to Grant	Dec. 27, 1864	2	7	1281
Grant to Ould	Dec. 28, 1864	2	7	1290
Ould to Grant	Dec. 27, 1864	2	7	1281
Grant to Ould	Dec. 28, 1864	2	7	1290
Stanton to Grant	Dec. 29, 1864	2	7	1292
Halleck to Stanton	Jan. 23, 1865	2	8	113
Lincoln to Halleck	Oct. 3, 1862	2	4	593
Halleck to the President (two)	Oct. 3, 1862	2	4	593
Halleck to the President	Oct. 4, 1862	2	4	598
Grant to Halleck	Oct. 7, 1862	2	4	605
Halleck to Grant	Oct. 8, 1862	2	4	606
Buell to Halleck	Oct. 22, 1862	2	4	642
Halleck to Buell	Oct. 23, 1862	2	4	644
Halleck to Curtis, Wright, Rosecrans, Grant, Schenck, Dix, Foster, and Banks.	Dec. 30, 1862	2	5	130
Halleck to Curtis	Jan. 4, 1863	2	5	150
Halleck to Ludlow	Jan. 27, 1863	2	5	217
Ludlow to Kelton	Jan. 23, 1863	2	5	204
Curtis to Halleck	Jan. 24, 1863	2	5	207
Halleck to Curtis	Jan. 25, 1863	2	5	212
Schenck to Halleck	Feb. 3, 1863	2	5	237
Halleck to Schenck	Feb. 3, 1863	2	5	237
Wright to Halleck	Feb. 17, 1863	2	5	280
Halleck to Wright	Feb. 17, 1863	2	5	280
Ludlow to Halleck	Feb. 19, 1863	2	5	286
Rosecrans to Kelton	Mar. 11, 1863	2	5	342
Halleck to Rosecrans	Mar. 12, 1863	2	5	347
Curtis to Halleck	Apr. 22, 1863	2	5	506
Halleck to Curtis	Apr. 23, 1863	2	5	508
Ould to Ludlow	May 22, 1863	2	5	691
Ludlow to Ould	May 25, 1863	2	5	702
Do	May 22, 1863	2	5	690
Halleck to Rosecrans, Hurlbut (for Grant), Schofield, Dix, Foster, Hooker, Schenck, Hunter, and Banks.	May 25, 1863	2	5	696
Halleck to Burnside	May 25, 1863	2	5	696
Ludlow to Thomas	May 30, 1863	2	5	721
Ludlow to Ould	June 3, 1863	2	5	737
Ould to Ludlow	June 5, 1863	2	5	745
Do	June 12, 1863	2	6	11
Ludlow to Ould	June 14, 1863	2	6	17
Halleck to Burbridge	June 23, 1864	2	7	397
Do	June 21, 1864	1	39 ii	134
Schenck to Halleck	June 29, 1863	2	6	60
Halleck to Schenck	June 30, 1863	2	6	63
Halleck to Ludlow	June 30, 1863	2	6	63
Ludlow to Kelton	July 1, 1863	2	6	69
Grant to Halleck	July 4 1863	1	24 i	44
Halleck to Grant	July 8, 1863	2	6	92
Do	July 10, 1863	2	6	97
Ludlow to Kelton (three)	July 7, 1863	2	6	89 90
Halleck to Ludlow	July 8, 1863	2	6	91
Halleck to Meade	July 9, 1863	2	6	95
Halleck to Meade, Schenck, and Thomas	July 10, 1863	2	6	97
Ludlow to Kelton (two)	July 12, 1863	2	6	108 109
Halleck to Rosecrans	Aug. 1, 1863	2	6	163
Rosecrans to Halleck	Aug. 1, 1863	2	6	164
Memorandum for Hitchcock	Aug. 12, 1863	2	6	199
Ould to Meredith	Aug. 16, 1863	2	6	208
Hitchcock to Ould	Aug. 16, 1863	2	6	208
Hitchcock to Halleck (three)	Aug. 27, 1863	2	6	230
Stanton to Halleck	Sept. 11, 1863	2	6	280

List of documents accompanying the foregoing letter—Continued.

Document.	Date.	Reference.		
		Series.	Volume.	Page.
Halleck to Burnside	Sept. 11, 1863	2	6	280
Kelton to Hoffman	Oct. 20, 1863	2	6	400
Memorandum by Hitchcock		2	6	400
Hurlbut to Halleck	Nov. 12, 1863	2	6	502
Thomas to Halleck	Nov. 26, 1863	2	6	569
Halleck to Thomas	Nov. 27, 1863	2	6	587
Halleck to Lee	Dec. 7, 1863	2	6	659
Lee to Halleck	Dec. 12, 1863	2	6	691
Heintzelman to Halleck	June 13, 1864	1	39 ii	113
Sherman to Halleck	Sept. 9, 1864	2	7	791
Do	Sept. 29, 1864	1	39 ii	517
Banks to Halleck	Aug. 7, 1863	2	6	184
Banks to Taylor	Sept. 2, 1863	2	6	248
Taylor to Banks	Sept. 21, 1863	2	6	308
Banks to Halleck (two)	Oct. 16, 1863	2	6	383
Green to commanding officer on the Teche	Nov. 28, 1863	2	6	589
Franklin to Taylor	Nov. 29, 1863	2	6	602
Taylor to Franklin	Nov. 30, 1863	2	6	606
Do	Dec. 3, 1863	2	6	641
Green to Franklin	Dec. 4, 1863	2	6	646
Molineux to Franklin	Dec. 13, 1863	2	6	697
Molineux to Levy	Dec. 12. 1863	2	6	698
Levy to Molineux (two)	Dec. 12. 1863	2	6	698 699
Molineux to Levy	Dec. 13, 1863	2	6	700
Do	Dec. 15, 1863	2	6	706
Franklin to Stone	Dec. 13, 1863	2	6	707
Stone to Franklin	Dec. 14, 1863	2	6	707
Levy to Molineux	Dec. 18. 1863	2	6	715
Banks to Franklin	Dec. 21, 1863	2	6	737
Molineux to Levy	Dec. 23, 1863	2	6	750
Bonford to Molineux	Dec. 23, 1863	2	6	749
Molineux to Levy	Dec. 23, 1863	2	6	749
Taylor to Franklin	Dec. 23, 1863	2	6	748
Affidavit of Comer	Nov. 19, 1863	2	6	542
Molineux to Franklin	Dec. 28, 1863	2	6	772
Stone to Dwight	Dec. 31, 1863	2	6	805
Memoranda of prisoners held by Banks	Dec. 31. 1863	2	6	806
Dwight to Levy	Jan. 4, 1864	2	6	812
Levy to Dwight	Jan. 4, 1864	2	6	813
Taylor to Franklin	Jan. 5, 1864	2	6	814
Dwight to Stone	Jan. 7, 1864	2	6	816
Dwight to Franklin	Jan. 13. 1864	2	6	838
Banks to Adjutant-General of the Army	Feb. 2, 1864	2	6	905
Cartel of exchange by Banks and Taylor	Jan. 4, 1864	2	6	817
Cartel of exchange by Franklin and Taylor	Dec. 12, 1863	2	6	693
Hitchcock to Stanton	Mar. 28, 1864	2	6	1107
Hitchcock to Halleck	Mar. 30. 1864	2	6	1115
Halleck to Grant	Aug. 27, 1864	2	7	685
Halleck to Canby	Sept. 6, 1864	2	7	776
Canby to Halleck	Sept. 9, 1864	2	7	794
Do	Sept. 19, 1864	2	7	843
Canby's General Orders, No. 48	Sept. 14, 1864	1	41 iii	182
Hitchcock to Canby	Aug. 24, 1864	2	7	674
Do	Aug. 20, 1864	2	7	625
Canby's indorsement on roll of prisoners	Aug. 4, 1864	2	7	592
Canby to Hitchcock	Aug. 4, 1864	2	7	538
Do	June 21, 1864	2	7	388
Canby's indorsement on roll of prisoners	Aug. 30, 1864	2	7	670
Halleck to Hoffman	June 20, 1864	2	7	381
Do	June 21, 1864	2	7	388
Foster to Halleck (two)	June 16, 1864	1	35 ii	135 141
Ripley to Schimmelfennig	June 13, 1864	1	35 ii	132
Jones to Foster	June 13, 1864	1	35 ii	132
Foster to Jones	June 16, 1864	1	35 ii	134
Foster to Halleck	July 7, 1864	1	35 ii	170
Jones to Foster	July 1, 1864	1	35 ii	161
Wessells, Scammon, Shaler, Seymour, and Heckman to Thomas	July 1, 1864	1	35 ii	162
Foster to Jones	July 4, 1864	1	35 ii	164
Foster to Halleck	July 8, 1864	2	7	447
Do	July 17, 1864	2	7	471
Jones to Foster (three)	July 13, 1864	1	35 ii	174 175
Foster to Jones	July 16, 1864	1	35 ii	175

List of documents accompanying the foregoing letter—Continued.

Document.	Date.	Reference.		
		Series.	Volume.	Page.
Halleck to Foster	July 19, 1864	2	7	475
Foster to Halleck (two)	Aug. 4, 1864	1	35 ii	212, 213
Halleck to Hoffman	Aug. 8, 1864	2	7	567
Foster to Halleck	Aug. 19, 1864	2	7	615
Dorr, Harrison, and Stoneman to the President	Aug. 14, 1864	2	7	616
Statements of Tracy	Aug. 19, 1864	2	7	621, 622
Minutes of sergeants' meeting at Andersonville, Ga	July 20, 1864	2	7	618
Foster to Halleck	Aug. 17, 1864	2	7	603
Woodford to Foster	Aug. 17, 1864	1	35 ii	243
Halleck to Foster	Aug. 19, 1864	2	7	623
Foster to Halleck	Aug. 25, 1864	2	7	675
Jones to Foster	Aug. 20, 1864	2	7	625
Bedel to Foster	Aug. 17, 1864	2	7	603
Bedel to Jones	Aug. 17, 1864	2	7	602
Foster to Halleck	Sept. 1, 1864	2	7	710
Do	Sept. 6, 1864	1	35 ii	272
Jones to Foster	Aug. 25, 1864	1	35 ii	257
Foster to Halleck	Sept. 13, 1864	2	7	819
Halleck to Foster	Sept. 23, 1864	2	7	865
Foster to Halleck	Sept. 25, 1864	2	7	874
Do	Sept. 26, 1864	2	7	879
Halleck to Foster	Oct. 5, 1864	2	7	925
Foster to Halleck	Oct. 13, 1864	2	7	979
Do	Oct. 20, 1864	2	7	1016
Halleck to Foster	Oct. 31, 1864	2	7	1067
Butler to Secretary of War	Jan. 19, 1865	2	8	89
Hardie to Butler	Dec. 8, 1863	2	6	682
Butler to Ould	Dec. 23, 1863	2	6	748
Do	Dec. 24, 1863	2	6	752
Butler to Ould (three)	Dec. 25, 1863	2	6	756, 757
Hoffman to Butler	Dec. 29, 1863	2	6	774
Canby to Butler	Dec. 31, 1863	2	6	802
Canby to Hoffman	Dec. 31, 1863	3		
Lincoln to Butler	Jan. 2, 1864	2	6	808
Butler to Ould (two)	Jan. 9, 1864	2	6	823, 824
Butler to Ould (six)	Jan. 12, 1864	2	6	836, 837, 838
Butler to Ould	Jan. 13, 1864	2	6	839
Townsend to Butler	Jan. 20, 1864	2	6	858
Butler to Ould (three)	Jan. 25, 1864	2	6	874, 875
Ould to Hitchcock	Jan. 27, 1864	2	6	884
Butler to Ould	Jan. 30, 1864	2	6	894
Butler to Hitchcock	Feb. 1, 1864	2	6	897
Butler to Hoffman	Feb. 1, 1864	2	6	898
Butler to Stanton	Feb. 2, 1864	2	6	906
Hoffman to Porter	Feb. 2, 1864	2	6	910
Puffer to Hoffman	Feb. 2, 1864	2	6	910
Butler to Hoffman	Feb. 3, 1864	2	6	911
Butler to Hitchcock	Feb. 4, 1864	2	6	916
Butler to Ould (eleven)	Feb. 4, 1864	2	6	916, 917, 918, 919
Hoffman to Butler	Feb. 5, 1864	2	6	921
Butler to Ould	Feb. 5, 1864	2	6	921
Butler to Ould (three)	Feb. 7, 1864	2	6	923, 924
Butler to Ould	Feb. 9, 1864	2	6	935
Hoffman to Butler	Feb. 11, 1864	2	6	943
Butler to Ould (two)	Feb. 12, 1864	2	6	945, 946
Hoffman to Butler	Feb. 15, 1864	2	6	954
Butler to Ould	Feb. 15, 1864	2	6	955
Do	Feb. 16, 1864	2	6	960
Butler to Stanton	Feb. 19, 1864	2	6	970
Butler to Hoffman	Feb. 20, 1864	2	6	973
Butler to Ould (two)	Feb. 24, 1864	2	6	986
Hoffman to Butler	Feb. 25, 1864	2	6	990
Do	Feb. 29, 1864	2	6	998

List of documents accompanying the foregoing letter—Continued.

Document.	Date.	Reference.		
		Series.	Volume.	Page.
Butler to Ould	Mar. 1, 1864	2	6	1000
Do	Mar. 3, 1864	2	6	1006
Butler to Ould (four)	Mar. 3, 1864	2	6	1005
Butler to Hoffman (two)	Mar. 4, 1864	2	6	1015, 1016
Butler to Hoffman	Mar. 11, 1864	2	6	1033
Butler to Ould (three)	Mar. 11, 1864	2	6	1034
Butler to Hoffman	Mar. 11, 1864	2	6	1035
Butler to Ould (two)	Mar. 11, 1864	2	6	1035
Butler to Ould (three)	Mar. 18, 1864	2	6	1074, 1075
Canby to Butler	Mar. 21, 1864	2	6	1079
Fry to Butler	Mar. 24, 1864	2	6	1090
Butler to Ould (two)	Mar. 24, 1864	2	6	1090
Butler to Ould	Mar. 28, 1864	2	6	1106
Butler to Hoffman	Mar. 28, 1864	2	6	1105
Ould to Butler	Mar. 29, 1864	2	6	1111
Hoffman to Butler	Mar. 30, 1864	2	6	1116
Butler to Hoffman	Mar. 31, 1864	2	6	1121
Butler to Ould (two)	Mar. 31, 1864	2	6	1121
Memorandum of discussion between Butler and Ould	Mar. 31, 1864	2	6	1121
Hoffman to Butler (three)	Apr. 2, 1864	2	7	2, 3
Butler to Hoffman	Apr. 2, 1864	2	7	4
Butler to Ould (two)	Apr. 4, 1864	2	7	10, 11
Butler to Hoffman (two)	Apr. 4, 1864	2	7	10
Butler to Hoffman	Apr. 5, 1864	2	7	16
Do	Apr. 8, 1864	2	7	29
Hoffman to Butler	Apr. 8, 1864	2	7	23
Butler to Ould	Apr. 9, 1864	2	7	34
Butler to Stanton	Apr. 9, 1864	2	7	29
Butler to Ould (two)	Apr. 13, 1864	2	7	42
Hitchcock to Grant	Apr. 15, 1864	2	7	53
Statement of Federal and Confederate prisoners	Apr. 16, 1864	2	7	55
Grant to Butler (two)	Apr. 17, 1864	2	7	62
Grant to Butler	Apr. 20, 1864	2	7	76
Butler to Ould	Apr. 18, 1864	2	7	66
Hoffman to Butler	Apr. 27, 1864	2	7	91
Fox to Butler	Apr. 28, 1864	2	7	93
Miller to Welles	Mar. 13, 1864	2	7	93
Butler to Ould (four)	Apr. 30, 1864	2	7	100, 101
Butler to Mulford	Sept. 27, 1864	2	7	883
Butler to Stanton	May 3, 1864	2	7	108
Butler to Ould	May 3, 1864	2	7	109
Do	May 4, 1864	2	7	112
Do	Aug. 4, 1864	2	7	538
Hoffman to Butler	May 5, 1864	2	7	115
Canby to Butler	May 6, 1864	2	7	121
Hoffman to Butler	May 7, 1864	2	7	126
Do	June 28, 1864	2	7	422
Butler to Ould	Aug. 8, 1864	2	7	566
Butler to Ould (two)	Aug. 10, 1864	2	7	575, 576
Circular from Adjutant-General's Office, U. S. Army	Sept. 12, 1864	2	7	806
Butler to Ould	Aug.[27] 1864	2	7	687
Ould to Mulford	Aug. 10, 1864	2	7	578
Butler to Ould (two)	Aug. 18, 1864	2	7	608
Butler to Grant	Aug. 18, 1864	2	7	607
Mallory to Welles	Aug. 20, 1864	2	7	661
Mulford to Ould	Aug. 22, 1864	2	7	667
Ould to Hitchcock	Aug. 22, 1864	2	7	667
Hitchcock to Mulford	Sept. 3, 1864	2	7	715
Butler to editor of the Times	Sept. 5, 1864	2	7	768
Mulford to Ould	Sept. 8, 1864	2	7	786
Butler to Ould (three)	Sept. 9, 1864	2	7	793, 794
Butler to Hitchcock	Sept. 9, 1864	2	7	792
Butler to Ould	Sept. 10, 1864	2	7	797
Butler to Hoffman	Sept. 10, 1864	2	7	797
Mulford to Hitchcock	Sept. 13, 1864	2	7	818
Ould to Mulford	Sept. 12, 1864	2	7	807
Butler to Stanton	Sept. 13, 1864	2	7	818
Hitchcock to Butler	Sept. 17, 1864	2	7	833

List of documents accompanying the foregoing letter—Continued.

Document.	Date.	Reference. Series.	Volume.	Page.
Hoffman to Hitchcock	Sept. 17, 1864	2	7	833
Butler to Stanton	Sept. 18, 1864	2	7	839
Vincent to Butler	Sept. 22, 1864	3		
Butler to Hoffman (two)	Sept. 25, 1864	2	7	872, 873
Butler to Hoffman	Sept. 28, 1864	2	7	887
Do	Sept. 27, 1864	2	7	883
Butler to Mulford	Sept. 27, 1864	2	7	883
Butler to Ould (two)	Oct. 4, 1864	2	7	922
Butler to Hoffman	Oct. 8, 1864	2	7	953
Do	Oct. 7, 1864	2	7	927
Dana to Butler	Oct. 10, 1864	2	7	961
Grant to Butler	Oct. 11, 1864	2	7	965
Butler to Hoffman	Oct. 12, 1864	2	7	971
Butler to commanding officer Confederate forces, etc	Oct. 12, 1864	2	7	969
Welles to Grant	Oct. 10, 1864	2	7	960
Welles to Butler	July 27, 1864	2	7	961
Butler to Ould	Oct. 12, 1864	2	7	967
Affidavit of Knight	Oct. 12, 1864	2	7	968
Affidavit of Dinking	Oct. 12, 1864	2	7	968
Affidavit of Hutchins	Oct. 12, 1864	2	7	968
Affidavit of Miller	Oct. 12, 1864	2	7	967
Butler to Ould	Oct. 12, 1864	2	7	970
Notice from Richmond Examiner	Oct. 8, 1864	2	7	970
Butler to Ould	Oct. 12, 1864	2	7	969
Butler to Grant	Oct. 12, 1864	2	7	966
Butler to Ould	Oct. 13, 1864	2	7	980
Butler to Grant	Oct. 14, 1864	2	7	983
Hitchcock to Butler	Oct. 14, 1864	2	7	983
Butler to Hoffman	Oct. 18, 1864	2	7	1007
Butler to Grant	Oct. 20, 1864	2	7	1015
Butler to Mulford	Oct. 31, 1864	2	7	1070
Fox to Butler	Oct. 24, 1864	2	7	1033
Hoffman to Butler	Oct. 24, 1864	2	7	1033
Do	Oct. 27, 1864	2	7	1048
Do	Oct. 26, 1864	2	7	1042
Hitchcock to Butler	Nov. 2, 1864	2	7	1084
Welles to Butler	Nov. 17, 1864	2	7	1132
Fox to Butler	Nov. 25, 1864	2	7	1158
Hitchcock to Butler	Nov. 25, 1864	2	7	1159
Welles to ——	Nov. 26, 1864	2	7	1160
Hartz to Butler	Dec. 1, 1864	2	7	1174
Butler to Wessells	Dec. 2, 1864	2	7	1178
Butler to Hitchcock	Dec. 7, 1864	2	7	1199
Butler to Ould	Dec. 9, 1864	2	7	1206
Hitchcock to Butler	Dec. 17, 1863	2	6	711
Butler to Ould	Dec. 25, 1863	2	6	754
Hoffman to Butler	Dec. 29, 1863	2	6	774

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 21, 1865.

Bvt. Maj. Gen. S. G. BURBRIDGE,
Commanding District of Kentucky, Lexington, Ky.:

GENERAL: I am authorized to request that Col. J. D. Morris and Maj. T. Steele, of the rebel army, who are said to be confined in the jail at Lexington, Ky., and in irons, be immediately released and forwarded under proper guard to Lieut. Col. John E. Mulford, agent for exchange of prisoners, Fort Monroe, Va. Please report action taken.

I am, general, very respectfully, your obedient servant.

H. W. WESSELLS,
Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 21, 1865.

Maj. Gen. GEORGE STONEMAN,
Commanding Department of the Ohio, Louisville, Ky.:

GENERAL: I have the honor to inquire if Charles E. Marshall, son of General Humphrey Marshall, of the rebel army, is held as a prisoner within the District of Kentucky, and whether as a prisoner of war or political prisoner or under sentence? If under sentence, I am authorized to request that he be immediately released and forwarded under proper guard to Lieut. Col. John E. Mulford, agent for exchange of prisoners, Fort Monroe, Va. If held as an ordinary prisoner of war or political prisoner, he should be reported to this office and retained as such.

I am, general, very respectfully, your obedient servant,
H. W. WESSELLS,
Brig. Gen., U. S. Vols., Inspector and Com. Gen. of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 21, 1865.

Lieut. Col. JOHN E. MULFORD,
Agent for the Exchange of Prisoners, Fort Monroe, Va.:

COLONEL: The communication of the 7th instant addressed to you by R. Ould, rebel agent for exchange, in relation to Miss Amelia Murphy, has been referred to this office, and in reply I have the honor, by direction of the Commissary-General of Prisoners, to inform you that she was released from Fort McHenry, Md., December 28, 1864.

I am, colonel, very respectfully, your obedient servant,
W. T. HARTZ,
Captain and Assistant Adjutant-General.

SPECIAL ORDERS, No. 17. } OFFICE COM. GENERAL OF PRISONERS,
Washington, D. C., January 21, 1865.

I. In pursuance of instructions received at this office George Dusky and Lieutenant Gandy, of the rebel army, who are said to be in solitary confinement in cells at Wheeling, W. Va., will be immediately released and forwarded under proper guard to Lieut. Col. J. E. Mulford, assistant agent for exchange, at Fort Monroe, Va. Col. James Washburn, military commander, Wheeling, W. Va., is charged with the execution of this order and will report to this office his action.

* * * * * * *

By order of Brig. Gen. H. W. Wessells, Inspector and Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Indorsement.]

This was specially referred to the Secretary of War by the undersigned January 25, and the Secretary committed the matter entirely to the undersigned.

E. A. HITCHCOCK,
Major-General of Volunteers.

EASTPORT, MISS., *January 21, 1865.*

Brigadier-General HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

General Granger telegraphs me from Decatur that Roddey proposes to exchange with him one officer and thirty-one men of our army for a like number of his command now in our hands. I would recommend that the proposition be accepted, and that you send to General Granger at Decatur, Ala., the men of Roddey's command asked for.

GEO. H. THOMAS,
Major-General, U. S. Volunteers, Commanding.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 21, 1865.

Maj. H. A. ALLEN, *Commanding Fort Warren:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending Saturday, January 21, 1865:

Conduct—orderly. Cleanliness—satisfactory. Clothing—in as good order as the limited allowance will permit. Bedding—in good order. State of quarters—neat and well policed. State of mess-houses—neat and clean. State of kitchen—neat and clean. Food, quality of—good. Food, quantity of—the full allowance. Water—good. Sinks—in good order. Police of grounds—once every day. Drainage—excellent. Police of hospital—no special hospital for prisoners. Attendance of sick—regular. Hospital diet—as ordered by the surgeon. General health of prisoners—good. Vigilance of guard—satisfactory.

Very respectfully, your obedient servant,

W. H. WOODMAN,
Lieut., First Batt. Mass. Vol. Arty., and Inspecting Officer.

HEADQUARTERS WEST'S BUILDINGS HOSPITAL,
Baltimore, Md., January 21, 1865.

Surg. A. CHAPEL, U. S. Volunteers, *Commanding Hospital:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 21, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient. Bedding—good. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—excellent. Food, quantity of—sufficient. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—excellent. Hospital diet—good. General health of prisoners—good as could be expected from the nature of their wounds and diseases. Vigilance of guard—good.

Very respectfully, your obedient servant,

HORATIO ROBERTS,
Second Lieut., Veteran Reserve Corps, and Inspecting Officer.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., January 21, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 19th instant, calling attention to the fact that I have

not reported my views (as requested in communication from your office dated December 12, 1864) as to the necessity of issuing clothing to prisoners of war at the present time. I would offer in explanation that about the same date (December 12) we received instructions from Brigadier-General Paine, U. S. Volunteers, to forward immediately through him, to the agent of the rebel authorities, a report from the prisoners of war at this depot of the supplies necessary to render them comfortable. This report was forwarded at once, and inasmuch as we had just received a partial supply of clothing (sent by mistake to this depot), I did not deem it necessary to make any further report before the arrival of the supplies from the rebel authorities. In obedience to your instructions of the 19th instant I have forwarded this day requisition in duplicate for such clothing as will be absolutely necessary within the next four weeks.

I am, very respectfully, your obedient servant,

B. F. TRACY,
Colonel 127th U. S. Colored Troops, Commanding Depot.

HEADQUARTERS CAMP CHASE,
Near Columbus, Ohio, January 21, 1865.

Col. W. P. RICHARDSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 21, 1865:

Conduct—good. Cleanliness—fair. Clothing—generally comfortable. Bedding—improving. State of quarters—good. State of mess-houses—good. State of kitchen—very good. Food, quality of—good. Food, quantity of—sufficient. Water—good and sufficient. Sinks—in good order. Police of grounds—good. Drainage—fair. Police of hospital—excellent. Attendance of sick—sufficient. Hospital diet—good. General health of prisoners—good. Vigilance of guard—unexceptionable.

Remarks and suggestions.—Since my last report no material change has taken place except in the increase of prisoners, most of whom have been wounded and necessarily require hospital treatment, increasing the necessary hospital accommodations and medical attention, all of which have been supplied. The smallpox is still prevailing to some extent, but vaccination is going on and very soon all will have been favored with this means of prevention. There is wanted in prison one [No.] 6 cooking-stove with pans for baking corn bread. I suggest the best Premium as the cheapest and most durable kind of stove for prison use.

Very respectfully, your obedient servant,

E. K. ALLEN,
Captain, Eighty-eighth Regt. Ohio Vol. Infty., Inspecting Officer.

[Indorsement.]

The prisoners received from Thomas' army have been very much exposed, and great mortality prevails. Pneumonia is the principal disease.

Respectfully referred to the Commissary-General of Prisoners.

W. P. RICHARDSON,
Colonel Twenty-fifth Ohio Veteran Volunteers, Comdg. Post.

HEADQUARTERS MILITARY COMMANDANT,
Louisville, Ky., January 21, 1865.

Capt. STEPHEN E. JONES, *Additional Aide-de-Camp:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 21, 1865:

Conduct—good. Cleanliness—perfect. Clothing— ———. Bedding—blankets. State of quarters—clean. State of mess-houses—clean. State of kitchen—clean. Food, quality of—good. Food, quantity of—full prison ration. Water—sufficient. Sinks—clean. Police of grounds—perfect. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—usual. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—I have carefully inspected the military prison and take great pleasure in reporting that I found everything in good order; good discipline and systematic arrangement in the different departments of the prison. I would suggest that the stove in the kitchen hospital needs repairing. Captain Pratt, executive officer of the prison, certainly deserves credit for the efficient and faithful manner in which he discharges the duties of his position.

Very respectfully, your obedient servant,

LEWIS BUCKNER,
Captain and Post Inspecting Officer.

[Indorsement.]

Upon the 2d instant I addressed a letter, which I inclose,* asking the permanent assignment of a regiment for duty at the military prison to relieve the Twentieth Kentucky Volunteer Infantry, which had been on duty there for several weeks, and whose term was about expiring. On the 12th instant the Thirtieth Wisconsin Veteran Infantry was ordered to report to me. This regiment is much superior in every respect to any I have yet had and it is very desirable to retain it if practicable. The late inspecting officer of this post, whom, in the absence of a competent inspecting officer at the military prison, I have been compelled to get to make inspections for me, having been relieved and his successor appointed, no inspection was made for the week ending January 14, 1865. The reception of clothing by prisoners from friends being prohibited by regulations, and the issue of Government supplies by General Hoffman, and none of the Confederate supplies having been sent to this prison, many of the prisoners passing through here are received and forwarded in a very destitute condition.

The foregoing report is approved and respectfully referred to the Commissary-General of Prisoners.

STEPHEN E. JONES,
Captain and Additional Aide-de-Camp, Comdg. Military Prison.

GENERAL ORDERS, No. 3. HDQRS. ROCK ISLAND BARRACKS,
Rock Island, Ill., January 21, 1865.

I. A military commission, of which Capt. B. R. Wagner, Fourth Regiment Veteran Reserve Corps, is president, assembled at this post on the 19th day of January, 1865, in virtue of Special Orders, Nos. 223 and 235, series of 1864, from these headquarters, for the purpose of

* Omitted.

inquiring into the shooting of C. W. Graham and John Stevens, prisoners of war, by Privates Richard Kendrick and John H. Smith, of Company C, One hundred and eighth Regiment U. S. Colored Infantry. The commission met pursuant to the orders, and after a careful examination and deliberation on the testimony adduced found the following facts:

First. That Privates Richard Kendrick and John H. Smith, both of Company C, One hundred and eighth Regiment U. S. Colored Infantry, were sentinels on the fourth front prison parapet on the night of the 1st of January, 1865, and that their instructions were to shoot any prisoner they saw on their side of the dead-line. If they saw any prisoners coming across it, halt them and keep them there until the corporal of the guard came. Second. That Corpl. James Rollins, of Company C, One hundred and eighth Regiment U. S. Colored Infantry, was on guard on the night of the 1st of January, 1865, on the fourth front of the prison, and that one of the sentinels on the parapet called for the corporal of the guard, but before he could get to him he heard the sentinel fire, and then the sentinel on the next post fired. He got to the parapet and found that the prisoner had placed a ladder against the fence, and nearly reached the top of it when he was discovered and shot by the sentinel. Another prisoner had crossed the dead-line and had been fired at by the next sentinel. Third. That John H. Smith, private of Company C, One hundred and eighth Regiment U. S. Colored Infantry, was a sentinel on the prison parapet, post No. 5, between 12 and 2 o'clock on the night of the 1st of January, 1865. While walking his beat he discovered a man sitting on a ladder against the prison fence, whom he instantly shot. Three other prisoners at the foot of the ladder started to run, when the next sentinel shot one of them, who fell into the ditch, but got up and made his way to his barracks. Fourth. That Richard Kendrick, private, Company C, One hundred and eighth Regiment U. S. Colored Infantry, was a sentinel on the prison parapet, post No. 4, between 12 and 1 o'clock on the night of the 1st of January, 1865. He saw a prisoner on the fence just before the next sentinel fired. Three other prisoners were on the ground. As they started to run he fired and one of them fell into the ditch.

Opinion.—The commission, after mature deliberation on the evidence adduced, are of the opinion that Privates Kendrick and Smith were but in the proper discharge of their duties as sentinels in the shooting of Graham and Stevens, prisoners of war, and do therefore acquit them of all blame in this matter, and compliment them on their vigilance and promptness in executing their duty, thus putting an effectual stop to all further attempts to escape by the prisoners of war waiting the fate of their comrades.

II. After carefully reading the testimony, findings, and opinion of the military commission in the case of the shooting of C. W. Graham and John Stevens, prisoners of war, by John H. Smith and Richard Kendrick, privates, Company C, One hundred and eighth Regiment U. S. Colored Infantry, the colonel commanding post approves the same.

III. The military commission of which Capt. B. R. Wagner, Fourth Regiment Veteran Reserve Corps, is president is hereby dissolved.

By order of Col. A. J. Johnson, Fourth Regiment Veteran Reserve Corps, commanding post:

A. F. HIGGS,
First Lieutenant and Post Adjutant.

HEADQUARTERS 111TH U. S. COLORED INFANTRY,
Nashville, Tenn., January 21, 1865.

Maj. Gen. BENJAMIN F. BUTLER, U. S. Army:

GENERAL: I have the honor to inclose herewith a copy of a Mobile paper* (rebel) containing, over the signature of D. H. Maury, major-general, C. S. Army, the names of 569 soldiers belonging to the One hundred and sixth, One hundred and tenth, and One hundred and eleventh Regiments of U. S. Colored Infantry, who were taken prisoners by a force of the enemy under Maj. Gen. N. B. Forrest, at Athens and Sulphur Branch Trestle, Ala., on the 24th and 25th of September, 1864, and placed at work on the defenses of Mobile, Ala., by order of the rebel authorities. Lieut. William T. Lewis, adjutant One hundred and tenth U. S. Colored Infantry, has a paper of later date than this, containing the names of nearly 300 more soldiers of the same command, also at work on the defenses of Mobile.

I have the honor to be, general, very respectfully, your obedient servant.

O. O. POPPLETON,
Lieutenant and Acting Adjutant 111th U. S. Colored Infantry.

Indorsement on Dana to Christensen, January 14, 1865, printed in Series I, Vol. XLVIII, Part I, p. 519; Forrest to Dana, January 6, 1865, p. 31, ante; Forrest to Rousseau and Rousseau to Forrest, December 16, 1864, Vol. VII, of this series, p. 1233; Dana to Forrest, January 12, 1865, in Series I, Vol. XLVIII, Part I, p. 498.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, January 21, 1865.

Respectfully forwarded to the Commissioner for Exchange of Prisoners.

The arrangements made by General Washburn and my own authority to act are suspended by the order of Lieutenant-General Grant. As the prisoners referred to belong to two different armies the decision should be made by the general commissioner for exchange of prisoners. In this case it is recommended that the exchange be made.†

ED. R. S. CANBY,
Major-General, Commanding.

RICHMOND, *January 21, 1865.*

Hon. JAMES A. SEDDON, *Secretary of War:*

SIR: I have made an agreement with the Federal authorities for the release and delivery on both sides of all prisoners of war who have been or now are held either in close confinement or in irons. The list of those so held by the enemy embraces more than fifty, while ours does not reach fifteen. Those whom we hold are mostly confined here and at Salisbury. The order for release of our men was issued about a week ago, and I am satisfied they are now held as other prisoners of war. I will therefore be much obliged to you if you will direct General Gardner to release immediately such Federal prisoners as are now held in close confinement or irons.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

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*Not found. † See Hitchcock to Canby, February 17, p. 242.

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 21, 1865.

Captain RICHARDSON:

SIR: You will receive the packages of money for prisoners from the express company, paying the charges from the money itself, and dividing the expense equitably amongst the prisoners, according to the sums due each.

Respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

QUARTERMASTER'S OFFICE, C. S. MILITARY PRISON,
Columbia, S. C., January 21, 1865.

General J. H. WINDER, *Commissary-General of Prisoners:*

GENERAL: In my original orders I was limited in paying out funds to the order of prisoners to $100 per week. In the recent rule established by Major Griswold there is no such restriction, and I have paid out as much as $15,000 to the order of one prisoner, all drawn for within ten days of each other, and approved by Major Griswold, without whose approval I could not pay out any amounts.

I have, of course, no objection to paying out any amounts in my hands, but desiring to be safe in doing so, I respectfully request to know if this is done with your approval. My reasons for submitting this matter in this shape to you, is that you were made aware by me of the original order, and I am uninformed of your acquaintance with the present rule. Be pleased to indorse your views hereon and return to

Respectfully, your obedient servant,

J. S. RICHARDSON,
Captain and Assistant Quartermaster.

[First indorsement.]

Respectfully forwarded through Major Griswold, commanding prison, Columbia, S. C.

J. S. RICHARDSON,
Captain and Assistant Quartermaster.

[Second indorsement.]

CAMP ASYLUM, C. S. PRISON, *January 23, 1865.*

Respectfully forwarded to Brigadier-General Winder, with the remark that the rule as now adopted was clearly understood in consultation with General Winder. The original restriction was made when the money went into the hands of the prisoners. As the money does not now go into their hands, no objection is seen to their drawing upon their own money, for food, clothing, &c., to any extent they please.

E. GRISWOLD,
Major, Commanding Prison.

[Third indorsement.]

COLUMBIA, S. C., *January 24, 1865.*

Major Griswold's suggestion approved.

JNO. H. WINDER,
Brigadier-General.

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 21, 1865.

Mrs. C. M. JONES:

MADAM: The occupation of Savannah by the enemy renders it inexpedient for the Confederate States to continue to occupy the stockade at Camp Lawton. It is therefore given up to you, and I will take the earliest opportunity to send an agent to arrange and settle the account between yourself and the Confederate States.

Very respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

HEADQUARTERS C. S. MILITARY PRISON,
Camp Sumter, Ga., January 21, 1865.

Lieut. R. B. THOMAS, *Acting Assistant Adjutant-General:*

SIR: Complaints being made almost every day by chief surgeon of hospital about prisoners stealing hospital property and selling it to members of the guard stationed at hospital, and frequent escapes made by prisoners from hospital, make it a matter of importance to inclose the hospital with a stockade.

I was ordered by the general commanding last fall to put up a stockade around the hospital, but owing to a more pressing work and scarcity of teams to haul logs, I have not been able to do it. The same difficulty, as far as means of transportation are concerned, still exists, and I do not think it possible to inclose the hospital with a stockade, unless I resort to other means. Last fall a third line of stockade around the main stockade was commenced. It was intended as a covered way to march troops from one fort to another. It, as well as the forts themselves, was never finished. A great many of the logs are lying on the ground, either rotting or stolen by the troops for fire-wood. I would most respectfully suggest that this third line of stockade be used to put up a stockade around the hospital. If it should be deemed expedient hereafter to finish this third line around stockade, it would be no more trouble to haul the logs from the woods to finish it than it would be to haul them to the hospital. In the meantime it would enable me to prevent trading going on at hospital across the present plank fence, only six feet high; also the numerous escapes of prisoners.

Respectfully recommending the subject to your consideration,

I am, sir, very respectfully, your obedient servant,

H. WIRZ,
Captain, Commanding Prison.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 22, 1865.

Lieut. Col. MARTIN BURKE, U. S. Army,
Commanding Fort Lafayette:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 22, 1865:

Conduct—very good. Cleanliness—generally very good. Clothing—good. Bedding—iron bedsteads, husk mattresses, blankets, sheets, and pillows. State of quarters—very good. State of mess-houses—cleanly. State of kitchen—cleanly. Food, quality of—good. Food,

quantity of—circular of June 1, 1864, complied with. Water—excellent (Croton). Sinks—cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post; prisoners very sick are sent to Fort Hamilton. Attendance of sick—Hospital Doctor Gibson attends to sick every morning. Hospital diet—none at post. General health of prisoners—very good. Vigilance of guard—guards vigilant; prisoners verified three times during the night.

Remarks and suggestions.—There are fifty-nine prisoners confined at Fort Lafayette, consisting of prisoners of war and state. Their treatment as regards quarters and exercise is excellent. Everything allowed by existing orders is furnished to them, and a good degree of satisfaction is expressed by them for the uniform excellence of their treatment.

Very respectfully, your obedient servant,

CHARLES STEELHAMMER,

First Lieut., Seventeenth U. S. Infty., Post Adjt. and Insp. Officer.

[Indorsement.]

Treatment, &c., in accordance with instructions received, is strictly carried out and adhered to.

Respectfully referred to the Commissary-General of Prisoners.

MARTIN BURKE,

Lieutenant-Colonel, U. S. Army, Commanding Post.

HEADQUARTERS FORT DELAWARE, DEL.,
January 22, 1865.

Brig. Gen. A. SCHOEPF, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 21, 1865:

Conduct—good. Cleanliness—proper attention paid to. Clothing—good, with a few exceptions, but insufficient. Bedding—bunk and blankets. State of quarters—clean and comfortable. State of mess-houses—in an excellent condition. State of kitchen—clean and well conducted. Food, quality of—very good. Food, quantity of—sufficient. Water—good and sufficient. Sinks—are kept clean. Police of grounds—well conducted. Drainage—very good. Police of hospital—well conducted. Attendance of sick—prisoners receive excellent care and attention. Hospital diet—very good and sufficient. General health of prisoners—about 8½ per cent. sick; fifteen deaths during the week. Vigilance of guard—good.

Very respectfully, your obedient servant,

GEO. W. AHL,

Captain, Acting Assistant Adjutant-General and Insp. Officer.

HEADQUARTERS SUPERINTENDENT OF PRISON,
Johnson's Island, Ohio, January 22, 1865.

Col. CHARLES W. HILL,
Commanding U. S. Forces, Johnson's Island, Ohio:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 22, 1865:

Conduct—good. Cleanliness—good. Clothing—fair. Bedding—plenty of blankets and straw now being issued. State of quarters—

fair. State of mess-houses—fair. State of kitchen—good. Food, quality of—good. Food, quantity of—full prisoners' ration except potatoes. Water—lake and good. Sinks—fair. Police of grounds—not good on account of snow and ice. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—good. General health of prisoners—very good. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,063; number in hospital, 46; number of deaths since last report, 2. I would respectfully suggest that the following articles be added to the sutler's list: Buttons (not metal), pins, shoe-strings.

Very respectfully, your obedient servant,

E. A. SCOVILL,
Lieut. Col. 128th Regt. Ohio Vol. Infty. and Inspecting Officer.

HEADQUARTERS CAMP MORTON,
Indianapolis, Ind., January 22, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 21, 1865:

Conduct—good. Cleanliness—good state. Clothing—good. Bedding—good. State of quarters—kept as clean as is possible. State of mess-houses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being according to orders. Water—sufficient. Sinks—sufficient for cold weather. Police of grounds—covered with snow during the whole week. Drainage—complete. Police of hospital—thorough. Attendance of sick—good. Hospital diet—first class. General health of prisoners—good, but fatality is greater than usual. Vigilance of guard—very strict.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieut., Veteran Reserve Corps, and Inspecting Officer.

HEADQUARTERS OF THE ARMY,
Washington, D. C., January 23, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In compliance with your instructions I submit herewith copies of all papers and correspondence filed at these headquarters in relation to exchange of prisoners of war.*

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, *January 23, 1865.*

Major-General HALLECK, *Chief of Staff:*

The following communication has just been received from R. Ould:†

U. S. GRANT,
Lieutenant-General.

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*These inclosures are embraced in list following Townsend to Stanton, January 21, p. 98.

†See Ould to Grant, January 17, p 83.

HEADQUARTERS OF THE ARMY,
Washington, D. C., January 23, 1865.

Brig. Gen. H. E. PAINE, *New York:*

The Secretary of War directs that the suspension of General Beall's parole be revoked and that he be permitted to resume his functions as formerly. It is presumed that the steamer Atlanta, with the cotton from Mobile, will reach New York within a day or two. The delay has been caused by the non-delivery of the cotton by the rebel authorities. General Wessells has been directed to parole General Vance as assistant to General Beall.

H. W. HALLECK,
Major-General and Chief of Staff.

NEW YORK, *January 23, 1865.*

Brig. Gen. W. N. R. BEALL:

GENERAL: I have the honor to inform you that the temporary suspension of your parole is terminated, and you are at liberty to resume your functions under the arrangement between General Grant and Judge Ould.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS FORT DELAWARE, DEL.,
January 23, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to inclose herewith a requisition for 2,000 blankets for prisoners which you ordered to this post. From the correspondence between Generals Vance and Beall the arrangement of supplying their own prisoners seems very distant, and they will suffer if not furnished during the winter season.

Very respectfully, your obedient servant,

A. SCHOEPF,
Brigadier-General.

PENITENTIARY, SUPERINTENDENT'S OFFICE,
Albany, N. Y., January 23, 1865.

Maj. Gen. E. A. HITCHCOCK:

SIR: I have the honor to report, in answer to yours of the 20th, that Johnson S. Palmer, John R. H. Embert, Braxton Lyon, and Samuel B. Hearn are detained here as prisoners by order of the Secretary of War. Having duplicate general court-martial orders in the case of the three last mentioned prisoners, I inclose one for your information. I believe they were convicted as spies. Palmer was convicted by General Doubleday's commission of "violation of the laws and customs of war," in trading with the enemy, &c., and sentenced to imprisonment until the termination of the present rebellion. See General Court-Martial Orders, No. 206, War Department, Adjutant-General's Office, Washington, July 25, 1864.

Very respectfully, your obedient servant,

AMOS PILSBURY,
Superintendent.

[Indorsement.]

JANUARY 25, 1865.

General WESSELLS, *Commissary-General of Prisoners:*

The design of the proposed exchange of prisoners of war in irons or cells is to dispose of disputed cases, and includes the parties at the Albany penitentiary. They will be delivered with others.

By order of the Secretary of War:

E. A. HITCHCOCK,
Major-General of Volunteers.

[Inclosure.]

GENERAL COURT-MARTIAL ORDERS, No. 274.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, August 31, 1864.*

The sentences "to be hung," awarded by a military commission and promulgated in General Orders, No. 61, headquarters Middle Department, Eighth Army Corps, Baltimore, Md., August 8, 1864, in the cases of Samuel P. [B.] Hearn, Braxton Lyon, William H. Rogers [Rodgers], and John R. H. Embert, citizens, are commuted by the President of the United States to "confinement at hard labor in the penitentiary during the war."

The penitentiary at Albany, N. Y., is designated as the place of their confinement, to which the prisoners will be sent under suitable guard by orders from the department commander and delivered to the warden for execution of their sentence.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

Report of a military commission convened at Camp Douglas, Chicago, Ill., in obedience to the following order, viz:

SPECIAL ORDERS, No. 23.

HEADQUARTERS POST, *Camp Douglas, Chicago, Ill., January 23, 1865.*

* * * * * * *

2. A military commission is hereby ordered to meet at Camp Douglas, Chicago, Ill., on Tuesday, the 24th instant, or as soon thereafter as practicable, to investigate and report the facts in relation to the shooting of a prisoner of war while in the act of committing a nuisance in the prison square at Camp Douglas, Chicago, Ill., on the night of January 20, 1865, by Private Newell Sanford, Company A, Eighth Regiment Veteran Reserve Corps, member of provost guard, prison square, and whether the said Private Sanford was justifiable in accordance with existing orders in shooting the prisoner of war. Detail for the commission: Capt. W. W. Bjerg, Company G, Eighth Regiment Veteran Reserve Corps; Capt. J. L. Hill, Twenty-fourth Ohio Battery Light Artillery; Lieut. J. W. Crawford, Company I, Eighth Regiment Veteran Reserve Corps. The officers above named will perform the duties required in addition to their other duties. Having accomplished the object of this order, the commission is dissolved.

By command of L. C. Skinner, lieutenant-colonel Eighth Regiment Veteran Reserve Corps, commanding post:

E. R. P. SHURLY,
Captain and Acting Assistant Adjutant-General.

CAMP DOUGLAS,
Chicago, Ill., February 10, 1865—10 a. m.

The commission met pursuant to the preceding order. Present, Capt. J. L. Hill, Twenty-fourth Ohio Battery Light Artillery, and Lieut. J. W. Crawford, Company I, Eighth Regiment Veteran Reserve Corps, who proceeded to business and elicited from the testimony of witnesses, under oath, the following facts: That on the evening of the

20th of January, 1865, Private Newell Sanford, of Company A, Eighth Regiment Veteran Reserve Corps, member of the provost guard, prison square, Camp Douglas, Chicago, Ill., did shoot a prisoner of war by the name of William A. Chance, Company A, Thirty-third Alabama Regiment, who was at the time committing nuisance (urinating) in a street of said square, and that the said Private Sanford in shooting said prisoner of war was acting in obedience to the orders and under the command of Capt. J. H. Hastings, Fifteenth Regiment Veteran Reserve Corps, and that, therefore, said Private Newell Sanford was justifiable in shooting said prisoner of war.

J. L. HILL,
Captain, Commanding Twenty-fourth Ohio Battery.
JAMES W. CRAWFORD,
First Lieut. Co. I, Eighth Regt. Vet. Reserve Corps, and Recorder.

[First indorsement.]

HEADQUARTERS POST,
Camp Douglas, Chicago, Ill., February 13, 1865.

Respectfully forwarded to the Commissary-General of Prisoners, Washington, D. C. Approved.

B. J. SWEET,
Colonel Eighth Regiment Veteran Reserve Corps, Comdg. Post.

OFFICE PROVOST-MARSHAL OF PRISONERS,
Rock Island Barracks, Ill., January 23, 1865.

Col. A. J. JOHNSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 23, 1865:

Conduct—very good. Cleanliness—good. Clothing—good. Bedding—none. State of quarters—very good. State of mess-houses—no mess-houses. State of kitchen—very good. Food, quality of—good. Food, quantity of—as per circular from Commissary-General of Prisoners. Water—good. Sinks—not good. Police of grounds—very good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—very good. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. P. CARAHER,
Lieutenant-Colonel Fourth Regiment Veteran Reserve Corps and Provost-Marshal of Prisoners, Inspecting Officer.

OFFICE SUPT. AND INSPECTOR OF MILITARY PRISONS,
Saint Louis, Mo., January 23, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 23, 1865:

Conduct—nothing to complain of. Cleanliness—moderate. Clothing—sufficient, with a few exceptions. Bedding—good and comfortable. State of quarters—neat and clean. State of mess-houses—as

clean as can be made. State of kitchen—about the same. Food, quality of—good. Food, quantity of—according to regulations. Water—plenty. Sinks—clean, but on account of the cold weather not very comfortable. Police of grounds—very good. Drainage—hardly sufficient for a long term of cold weather. Police of hospital—very good. Attendance of sick—as good as can be desired. Hospital diet—in charge of the medical department; according to the requirements of the patients. General health of prisoners—no noticeable change. Vigilance of guard—tolerably strict.

Remarks and suggestions.—Although the expenditures recommended in my report of December 20 have not been resorted to, by means of minor repairs in the way of whitewashing, plastering, &c., Gratiot Street Prison will, in my opinion, as far as cleanliness and general management is concerned, favorably compare with any prison in the West, taking into consideration the many disadvantages this prison, as a prison, is possessed of. I cannot refrain again expressing my regret at the sums swallowed by this prison for constant repairs, and hoping ultimately to learn a decision on my recommendation for a new prison.

I am, very respectfully, your obedient servant,

GUST. HEINRICHS,

Lieut. Col. Forty-first Missouri Infty. Vols. and Insp. Officer.

[Indorsement.]

Approved.

J. H. BAKER,

Colonel and Provost-Marshal-General, Dept. of the Missouri.

HEADQUARTERS FEDERAL PRISON,
Cahaba, Ala., January 23, 1865.

General J. D. IMBODEN, *Augusta, Ga.:*

GENERAL: On the morning of Friday, January 20, there was a mutiny in the Federal prison under my command. The prisoners simultaneously rushed upon the interior guards, disarmed and captured them. They then placed them under guard in the water-closets. Two sentinels posted at the entrance of the main prison from the stockade succeeded in making their escape and in giving the alarm to the sentries on the ramparts and the reserve guard. A courier was dispatched to the commanding officer of the troops at the post, who promptly ordered out the battalion under arms. A piece of artillery was brought to bear upon the prisoners, and all was very soon quieted down and inquest made for the ringleaders. I issued an order stopping the rations of the prisoners until the ringleaders were announced. This had the effect of securing five witnesses, whose testimony in the main is concurrent, and led to the detection and arrest of those most prominent in the affair. The man with whom the scheme originated was one George Schellar, alias Captain Hanchett, and one Robert Cox. This Schellar was captured by General Forrest near Nashville, Tenn., December 3, 1864. He was disguised as a citizen and was so registered and imprisoned by the provost-marshal-general of the Army of Tennessee, and at every post where it became necessary in his transit to this place. You will see by his confession that he declares his object to have been to be speedily sent through the lines. The most probable conjecture is that he dressed himself as a citizen and put

himself in position to be captured, for the purpose of obtaining information of the strength and movements of the Confederate forces.

After the defeat of the mutiny I made a demand upon his company in the prison for him, but could get no satisfaction. I then stationed his messmates along a line and passed all the prisoners, requiring them to identify and point him out as he passed. I did not succeed. I then took the prisoners that I had arrested and placed them on my right. Among these was one of the informers who knew him. I instructed him to put his foot upon mine as he approached. I then again passed the prisoners through a guard at open ranks, and by the strategy indicated above I succeeded in arresting him. He was very much excited, and when I addressed him by his alias he confessed that he was not George Schellar, but Captain Hanchett, of Company M, Sixteenth Illinois Cavalry, and at the time of his capture acting assistant adjutant-general on Colonel Capron's staff, commanding a brigade. The prisoner had shaved off his moustache and whiskers, changed his clothes, and otherwise tried to disguise himself. This he did to avoid detection. The investigation was conducted by several officers and myself before the commandant of the post, and from the testimony and his own confession, &c., he is undoubtedly the ringleader of the mutiny and a most unmitigated scoundrel. All of us who were present at this investigation are thoroughly convicted, not only of his guilty leadership in this mutiny, but that he is an exceedingly dangerous and bad man. The colonel commanding post is thoroughly of the opinion that his mission among us was that of a spy. Hence he was securely ironed and with seven of his confederates confined in a dungeon in the county jail.

By reading the inclosed transcript of the testimony elicited in the investigation you will be able to form a pretty correct opinion of the history of this transaction and the degree of guilt which attaches to each particular individual under arrest. During the excitement not a single prisoner effected his escape.

The question which I desire answered is: What course is it proper to pursue with the chiefs of this mutiny and those who were leagued with them? Having no statute, regulation, or precedent to govern us, we are at a loss to know what course to adopt, and I most respectfully ask the instructions of the general commanding.

I am, very respectfully, your obedient servant,

H. A. M. HENDERSON,
Captain, Commanding.

[Indorsement.]

POST OF CAHABA, ALA., *January 25, 1865.*

Respectfully forwarded for the information of and orders from the brigadier-general commanding the prison department.

I am fully convinced that Captain Hanchett, alias Schellar, is a spy and a dangerous man and deserves a spy's fate.

S. JONES,
Lieutenant-Colonel, Commanding Post.

[Inclosure.]

Evidence elicited at the headquarters of the post concerning the mutiny in Federal prison, Cahaba, Ala., January 20, between the hours [of] 3 and 4 a. m.

Arrest—George Schellar, alias Captain Hanchett, called. Was told by commandant that he would not be required to give evidence against

himself, but that if he had any voluntary statement to make to proceed. Said he is captain of Company M, Sixteenth Illinois Cavalry. At time captured was acting assistant adjutant-general Colonel Capron's staff, commanding brigade. The inducement for him to pass himself as a citizen was that Colonel Kofer said that the citizens would be passed through the lines immediately. Was not the instigator of the mutiny, but took part in it.

Arrest—Private Robert Cox, Company G, One hundred and fifteenth Ohio, called. Does not know anything about the mutiny. Heard a noise and got up and walked toward the front entrance, and Captain Hanchett grabbed him by the arm, handed him a musket, and told him to take it, which he did, and set it down about two paces from the place where he received it. Captain Hanchett continued to run to and fro from the entrance of the prison, calling for 100 men, and when he failed to get them ordered everybody to their bunks. Does not know how many were engaged in the mutiny. Heard the men speaking of the attempt to break out one week before, but does not remember any names. He recognized Captain Hanchett as the man who placed the musket in his hands.

Witness—Francis M. Prim, M, Nineteenth Pennsylvania Cavalry, called. Recognizes Robert Cox, One hundred and fifteenth Ohio, as one of three men who charged up to the entrance with a musket in his hand. When they charged the guard they ran. Recognizes Captain Hanchett as the man who ran over him in returning from the main entrance to the middle of the prison, as also he who called for 100 men.

Arrest—Private John W. Lightbody, Company D, Eighteenth Ohio Infantry, called. Knew nothing about the mutiny until the alarm was given. When he got up saw three muskets lying between the bunks at the entrance. Knew nothing about the plan to capture the guards. Knows nothing about Captain Hanchett. Heard men crying out "the guard has been captured," and "get up." Captain Hanchett had on citizens' clothes and wore a heavy beard.

Witness—Private George [W.] Salter, D, Third Iowa Cavalry, called. Recognizes Captain Hanchett and Private Cox as being the two men who charged the guard at the entrance with muskets. Mentions that John W. Lightbody, Eighteenth Ohio, told him the evening before the mutiny that it was the purpose of the prisoners to break out that night. Recognizes Lightbody as the man who was busily engaged in the middle of the prison when 100 men were called for. Heard him say, "Come on, boys," and when they did not respond Captain Hanchett said, "Let them go; they are a damned set of cowards."

Witness—Citizen Jacob E. Lachler, passenger on steamer Prairie State, citizen of Pennsylvania, called. Belongs to same mess as Captain Hanchett. Knew nothing of mutiny until he heard a guard halloo. Captain Hanchett represented himself as a citizen. Did not tell his mess of the intended mutiny.

Citizen E. McCullough, pilot steamer Prairie State, plying between Nashville and Saint Louis, stated substantially the same as Lachler.

Witness—Citizen E. Baker, New York, captured on the turnpike, five miles from Nashville, called. In Government employ. First he knew of the disturbance was that he heard some one hallooing. Captain Hanchett messes with him, but did not inform the mess of the mutiny. It was the prevalent opinion among the prisoners that Captain H. was the instigator of the plot. Recognizes Hanchett as the man who went into the prison under the name of George Schellar. Recognizes Hanchett and Schellar as identical.

Arrest—George W. Riley, corporal, Twenty-seventh Illinois Infantry, called. Knows nothing at all about the mutiny.

Arrest—Private G. Hammarberg, H, Ninth Minnesota Infantry, called. Told George Salter, D, Third Iowa Cavalry, that George Riley told him that a certain whistle would blow, and if he heard another whistle he must get up and give help. Then asked him if they thought they could get out of prison. Replied, "did not think they could;" "have seen so many trials made at it." Recognizes G. W. Riley, corporal, Twenty-seventh Illinois, as the man who told him about the whistle. Says he did not hear the second whistle. Did not see Riley during the disturbance. First he knew of the riot was when the Confederate officer came in the prison and demanded the muskets of the prisoners. Heard that there was a captain of the U. S. Army who was "playing off citizen" in prison. Heard some one call for 100 men a short time before the Confederate officer came into the prison, and as he entered he heard some one say "Lay down."

Witness—Private George Sherman, Fourth Michigan Cavalry, called. Says a man by the name of Becker he saw running through the prison calling for 100 men. Saw James Morrison running through prison with a gun. George Hoff, one of the instigators——

Arrest—Private Thompson Hanson, E, Ninth Ohio Cavalry, called. Knew nothing about the plot of the prisoners to get out.

Arrest—Martin A. Becker, Company D, Thirteenth Wisconsin Infantry, cook for sick in prison, called. Said:

Didn't get out of my bunk night of riot but once, and that to go to spring. About half-past 4 a. m. was aroused by a noise in the middle of prison, when I raised up in my bunk and saw four or five men holding a man, whom they said had been stealing blankets. I immediately afterward heard a man call for 100 men, and say, "The guards are captured." Soon after I heard a man say, "Lay down." I deny that I am one of those who called for 100 men. It was the prevailing opinion in the prison that Captain Hanchett was one of the leaders in the disturbance.

Arrest—James Morrison, Company G, Nineteenth Pennsylvania Cavalry, cook for sick in prison, called. First he knew of the disturbance was when the men were ordered back by a Confederate officer. Then said:

The first I heard of the disturbance was some one calling out, "He will never steal another blanket." Shortly afterward I saw several men running through the prison with guns, and heard one of them crying out for 100 men.

Arrest—Osmond F. Foster, I, Seventh Pennsylvania Cavalry, called, said:

Did not get off my bunk the night of the disturbance. First I knew of it heard some one say something about stealing a blanket. Captain Hanchett, under his assumed name of George Schellar, was introduced to me on his arrival at prison, and was represented to be a steward on a steam-boat; shortly after heard he was a captain in the U. S. Army. Never told any person that Becker was the leader of a previous plan in which 200 men were enlisted, but which was not executed, nor that he was one of the participants in this mutiny. Recognize Becker as the man who is now under arrest. Knew nothing about the mutiny beforehand. It was the prevailing opinion of the prisoners that Captain Hanchett was the leader of the mutiny. Recognize him as one of the men now under arrest. Heard since the riot that about twenty or twenty-five were engaged in it. Do not know the intention of the men in case they succeeded. Was not a participant, and knew nothing of it before it occurred.

Arrest—George H. Hoff, F, One hundred and fourteenth Illinois Infantry:

Knew nothing of the riot until I saw a piece of artillery in the door of the prison and bearing upon my bunk, when I got down and went inside the main bunk-room. The first I knew of the riot was I heard some one cry, "Steal another blanket, will you?" Also one calling out for 100 men. I raised up from my bunk and saw a Confederate officer standing in the door with a piece of artillery, and

demanding the muskets taken from the guards. I then got down from my bunk and went to another part of the prison on which the cannon was not bearing. I thought the plot to get out a very foolish one. I could not myself have escaped, as I was wounded.

Doctor Whitfield, surgeon of the prison, was here called in to examine the prisoner, to see if he was physically disabled to make a march, and testified that he is capable of making a march any distance, and "not at all incapacitated from his wound."

Prisoner recalled:

I did not know a single man engaged in the plot, but said that I would remain in prison 122 days before I would inform on the mutineers, if I knew.

Arrest—Patrick Ponsonby, G, Thirteenth Illinois Infantry:

About 8 o'clock the night of the riot I was sitting on my bunk when one of the men came to me and asked if I knew anything about the break they intended to make that night. I told him that I did not, and that it would be very foolish as I once broke out of prison at Meridian and afterward gave myself up, knowing I could not make our lines. Miller was the name of the man who asked me if I knew anything about the plot. The next morning I was awakened by men crying out "He will not steal another blanket." Shortly after I heard some one calling for 100 men. So far as I could see there was no response to the call, but many of the prisoners cried out, "Lay down. Lay down." About ten minutes afterward a Confederate officer came to the door of the prison with a cannon and demanded of the prisoners the guns. Was told that Captain Hanchett came into the prison as a citizen, but heard that after the riot he changed his citizens' clothes and said that he was a captain in the U. S. Army. It was the prevailing opinion of the prisoners that Captain Hanchett was a captain in the U. S. Army and that he was the instigator of the mutiny.

Witness—George Sherman, recalled:

I know Martin A. Becker; saw him running about the prison and calling for 100 men; attention drawn to him by his cries for men. This was after it had been announced that the guards had been captured. Becker said, "The guards have all been mugged—and my God, boys, ain't you going to stand by me?" (Identified Becker under arrest as the man.) Prisoner said, "Lay down; did you never see a crazy man?" and did not manifest a disposition to join him. Becker went to the back part of the prison and I saw no more of him. Thompson Hanson told me that Becker was one of the instigators of the mutiny. I was informed that only twenty men attacked the guards and that they depended on others joining them. I know James Morrison; I saw him before the men were ordered back by Confederate officers, running from the front entrance with a gun. This was before 100 men were called for. Shortly after leaving the entrance two men turned off to the right and went down the dead-line, and Morrison moved in the direction of the privy. This the last I saw of him. I know Osmond F. Foster; did not see him the night of the disturbance; I saw him after and he told me that "we got up a plan before in which a large number were engaged, and before the time occurred some one turned traitor and the scheme was abandoned. This time we thought it best to have only twenty." Foster admitted to me that he was a participator. I know George H. Hoff. Did not see him on the night of the riot; he told me the next morning that there was a major-general in there who got up the mutiny. Said he knew who the mutineers were, but that he would stay in prison 122 days and fast before he would give any information. Did not say that he had anything to do with it. I know Patrick Ponsonby; was sitting on a bunk with Thompson Hanson and Ponsonby passed; Hanson pointed to him and remarked, "There is a man who was engaged in the mutiny."

H. A. M. HENDERSON,
Captain, Commanding Prison.

[Indorsement.]

HDQRS. C. S. MIL. PRISONS WEST OF SAVANNAH RIVER,
Augusta, Ga., February 15, 1865.

Respectfully forwarded for information of and instructions from Honorable Secretary of War.

I have approved the course of Captain Henderson in ironing and confining these mutineers, but under orders of the Adjutant and Inspector

General of date January 24, 1865, they have been ordered to be released, except Captain Hanchett, in whose case I have ordered a trial on the charge of being a spy, the result of which will be communicated to the War Department as soon as ascertained. I inclose copy of an order which I have published in consequence of this mutiny.

J. D. IMBODEN,
Brigadier-General, Commanding.

[Inclosure.]

GENERAL ORDERS, No. 2.

HDQRS. C. S. MILITARY PRISONS WEST OF THE SAVANNAH RIVER,
Augusta, Ga., February 15, 1865.

I. In consequence of a recent mutiny and attempted escape of prisoners from the military prison at Cahaba, Ala., it is ordered that if any prisoner or prisoners of war confined in any of the military prisons in the States of Georgia, Alabama, or Mississippi shall engage in any mutiny or attempt by force to escape, the guard shall instantly fire upon the mutineers and, if necessary, upon the whole body of prisoners until perfect order is restored. And every prisoner found with arms in his hands at the time of any mutiny or forcible attempt to escape shall be instantly shot to death; and this penalty will in no case be remitted where such armed prisoner is overpowered by or surrendered to the guard on the suppression of a mutiny.

II. The brigadier-general commanding directs that all prisoners of war who conduct themselves in an orderly manner shall be treated with that humanity becoming the Christian people of these Confederate States, who, notwithstanding the barbarous atrocities inflicted upon them by a cruel and merciless foe, have not yet learned to forget their own high civilization, but he is resolved that no ruffianism shall be tolerated amongst the prisoners under his control.

III. This order will be published to those confined in the prisons of this department, and their own conduct will then determine whether their lives are to be spared or not.

By order of Brig. Gen. J. D. Imboden, commanding:

G. W. McPHAIL,
Aide-de-Camp and Acting Assistant Adjutant-General.

RICHMOND, *January 24, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: Your communication of the 19th instant, inclosing the names of a number of gentlemen who have been selected by the U. S. Christian Commission to go South for the purpose of visiting our prisons, has been received. You further state that any privilege granted in the matter would be extended to an equal number of gentlemen sent by us for similar purposes, and that such action might probably serve to satisfy the friends of prisoners both North and South of the exaggeration of the reports of suffering so rife in both sections.

On the 24th of January, 1864, in a letter to Major-General Hitchcock, commissioner of exchange, I proposed that a proper number of surgeons, to be selected by their own government, should be permitted to attend prisoners on each side, respectively, for the purpose of taking charge of their health and comfort, receiving and distributing contributions and

making report of any matters relating to the welfare of the parties under their care. Although just one year has elapsed since the date of that communication no answer has been returned.

I have no doubt but that the persons referred to in your letter are very respectable gentlemen; yet they are certainly not as well suited to minister to the wants of prisoners as accredited officers whose routine of duty makes them peculiarly fitted to relieve the sick and wounded. I therefore respectfully suggest that your application be so changed as to embrace my offer so long treated with silence. I am quite confident that all the interests of humanity will be promoted by the modification.

It is true that your prisoners are suffering. It is one of the calamities and necessities of the war, made so not by our choice. We have done everything we can consistently with the duty we owe to ourselves. We intend to do the same in the future. But that great suffering must ensue if your prisoners remain in our hands is very certain. For that reason I propose that all of them be delivered to you in exchange, man for man and officer for officer, according to grade, for those of ours whom you hold. Will not the cause of humanity be far more promoted by such a course than even if, as you suggest, the friends of prisoners both North and South are satisfied of the exaggeration of the reports of suffering so rife in both sections? If, however, prisoners are to remain in confinement, at least let us mutually send to their relief and comfort stationary agents whose official duty requires them to devote all their time and labor to their sacred mission.

For the reasons stated I decline the proposed visit of the gentlemen to whom you refer. In doing so I shall be glad to hear from you whether either of the alternatives presented meets with your favor.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HDQRS. U. S. TROOPS, CITY AND HARBOR OF NEW YORK,
January 24, 1865.

Brig. Gen. H. E. PAINE, *New York:*

GENERAL: I have the honor to call your attention to the inclosed copy of an order directed to me.* I respectfully state that I arrived here to-day from Mobile Bay direct with a cargo of cotton on the U. S. S. transport Atlanta, now lying at Pier No. 41, North River, which by my orders I am directed to turn over to Major-General Trimble or Brigadier-General Beall, of the rebel army.

I have been informed at headquarters Department of the East that you have been designated by the United States Government as the officer to transact some portion of the business, and I respectfully request information regarding the time and place I can deliver the cotton to the officer designated. Will you please appoint a time and place for me to see you in person as soon as convenient?

My address is 33 Beekman street.

I have the honor to be, general, very respectfully, your obedient servant,

FRANK G. NOYES,
Captain and Commissary of Subsistence.

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*See Vol. VII, this series, p. 1265.

NEW YORK, *January 24, 1865.*

Capt. FRANK G. NOYES, *33 Beekman Street, New York:*

CAPTAIN: In reply to your note of this date I have the honor to suggest that we meet at noon to-morrow at 48 Bleecker street, General Hunt's headquarters.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

NEW YORK, *January 24, 1865.*

Brig. Gen. W. N. R. BEALL, *New York Hotel:*

GENERAL: I have the honor to inform you that the long expected cotton has arrived on the U. S. S. transport Atlanta, which now lies at Pier 41, North River, and I am to have an interview with the officer in charge at 48 Bleecker street (General Hunt's headquarters) at noon to-morrow, at which time and place I should be pleased to meet you if convenient.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 24, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: Inclosed you will receive a certified copy of a letter* received this day from Brig. Gen. H. E. Paine, U. S. Volunteers, the person who brought Brig. Gen. W. N. R. Beall, C. S. Army, to this post, upon the receipt of which I have this day released General Beall.

Very respectfully, your obedient servant,

MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding.

HEADQUARTERS MILITARY STATION,
Alton, Ill., January 24, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to transmit herewith a special roll of prisoners belonging to various regiments in the service of the United States who enlisted in the Tenth Tennessee (rebel) Regiment† while held by the rebel authorities as prisoners of war at Andersonville, Ga., and were captured by the U. S. forces at Egypt Station, Miss., in General Grierson's late expedition. These men were received here with other prisoners of war on January 17, 1865, and were duly reported as such, but special rolls corresponding with the accompanying were received at the same time from the authorities sending the prisoners. The remarks on the rolls and the accompanying letter of Colonel Noble, Third Iowa Cavalry, will explain the status and history of these men as far as known at these headquarters.

I am, general, very respectfully, your obedient servant,

ROY STONE,
Brevet Brigadier-General, Comdg. Military Prison and Post.

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*See Paine to Beall, January 23, p. 114. †List omitted.

[Inclosure No. 1.]

STEAMER E. H. FAIRCHILD,
En Route for Cairo, Ill., January 13, 1865.

Lieut. JOHN S. LYTLE,
Eighth Iowa Infantry Volunteers,
In Charge of Rebel Prisoners of War on Board:

SIR: At the request of Capt. Samuel Wilson, provost-marshal, post Memphis, Tenn., communicated to me by yourself, I have to make the following statement touching the prisoners of war now in your custody and whose names are set forth on the roll to which this paper is attached: These men were captured by the First Brigade of Brigadier-General Grierson's troops, under command of Colonel Kargé, Second New Jersey Cavalry, at Egypt Station (Mobile and Ohio Railroad), on the morning of the 28th of December, 1864, with several hundred more prisoners belonging to the rebel army, under the command of Lieutenant-Colonel Burke, of the rebel service, and have, as they claim, been formerly in the service of the United States in the various regiments designated opposite their names on the roll. On the evening previous to the engagement at Egypt several of these men designated on the rolls deserted the rebels and, coming into our lines, gave information of the force opposed to us and reported that many of these men would not resist us in battle. In the engagement which ensued in the morning this proved true in many instances, although the fight was a severe one and required great valor on the part of Colonel Kargé's cavalry to gain the victory. The general report of these men to me during the time they were under my charge from Vicksburg to Memphis agrees in the following particulars: That they were prisoners of war at Andersonville, Ga., when they enlisted in the Confederate service; that at the time they were in great want of food, fuel, and clothing, which, with exposure to weather, rendered disease and death imminent to them all, and that many dead were carried from among the prisoners daily; that they were told there would be no exchange of prisoners, and if they would enlist in the Confederate service they would be received, taken from prison and treated like other Confederate troops; that these (on the rolls) were enlisted by Lieutenant-Colonel Burke, now a prisoner on board, and have been under his command since; that they were enlisted under an oath they do not now remember and many of them claim with the design and determination on their part to rejoin our ranks at the first opportunity, and that they did avail themselves of the only opportunity that had presented itself; that they were never fully trusted by the Confederates, being deprived of many privileges extended to other troops, kept under strict camp guard and unarmed; that they were given muskets on the day before the affair in which they were captured, and ammunition; but on the night before that foreigners were first solicited, but many others finally taken, and that they now wish to be sent to their old regiments to fight for the Union. These statements will not apply universally but generally to this class of prisoners.

My regiment was not in the engagement when these men were captured, nor do I know of my own knowledge their acts before and in the fight, but state that in this particular—which was communicated to me by officers on the march, this communication being given on the request before mentioned and to form the foundation for further inquiry by the authorities of the Government if deemed important—from my intercourse with these men, I believe that most of them are worthy of clemency, a few of special favor, but many at the same time are not to be trusted. As to the more general effect of the treatment of these men upon other prisoners in the rebel prisons, and again upon the rebel

Government, I am not called upon to express, and Brigadier-General Grierson (now under orders to report to Louisville, Ky.), Colonel Kargé, Second New Jersey Cavalry, at Memphis, Tenn., and Capt. S. L. Woodward, assistant adjutant-general on General Grierson's staff, can give more definite information in reference to the peculiar status of these men and the acts of particular individuals than is within my knowledge.

Very respectfully, yours,

JOHN W. NOBLE,
Colonel Third Iowa Cavalry.

[Inclosure No. 2.]

Extracts from reports of officers commanding troops in the expedition which resulted in the skirmish at Egypt Station, Miss., December 28, 1864, with reference to the capture by the Union forces of certain men who had enlisted in the Confederate Army while prisoners of war in rebel prisons.

Brig. Gen. B. H. Grierson, commanding Cavalry Division, Department of the Mississippi, and the expeditions, reports the capture of 500 prisoners at Egypt Station, adding "* * * over 100 of the prisoners captured at Egypt formerly belonged to our army, and were recruited from Southern prisons into the rebel service, and most of whom, I believe, were induced to join their ranks from a desire to escape a loathsome confinement. I commend them to the leniency of the Government * * *."

Col. Joseph Kargé, Second New Jersey Cavalry, commanding First Brigade, Cavalry Division, Department of the Mississippi, whose command was the principal force engaged, merely reports the capture of 500 prisoners, making no mention of their character. The Second Brigade, Cavalry Division, Department of the Mississippi, was not engaged at Egypt Station.

Col. E. D. Osband, Third U. S. Cavalry (colored), commanding Third Brigade, Cavalry Division, Department of the Mississippi, makes no mention of the character of the prisoners taken by his command.

RICHMOND, *January 24, 1865.*

Brig. Gen. JOHN H. WINDER, *Columbia, S. C.:*

The Federal authorities having released all our prisoners of war whom they held in close confinement or in irons, you will have theirs released also.

S. COOPER.
Adjutant and Inspector General.

HEADQUARTERS PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 24, 1865.

General S. COOPER, *Adjutant and Inspector General:*

GENERAL: There are now at Andersonville, Ga., more troops than are necessary for guard to the prison. I had intended to order the Second Regiment Georgia Reserves to the prisons in South Carolina, where they are much needed, but I find the law authorizing the transfer of reserves out of their States has expired by its own limitations.

I therefore cannot do it. I understand that application has been made to General Hardee to send the Georgia reserves now with his army to Andersonville. I have written to him requesting that it may not be done, and I request that in no event may the headquarters of the reserves be placed at any of the prisons, as it has been found that as there is nothing but the prison it is much better that the officer commanding prison should command the whole.

The Georgia reserves now with General Hardee and those not required at Andersonville might be profitably employed at Augusta or some other point in Georgia.

Respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

HEADQUARTERS PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 24, 1865.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: I hope you will not consider me troublesome on the subject of the safety of the prisoners of war, but it is a question of so much importance, and my information concerning the movements of the two armies being derived entirely from the public print and rumor, I did not feel satisfied to act without the opinion and advice from higher authority. As at present advised I do not think any point west and south of the Savannah River safe, but from the re-enforcements now arriving for the defense of South Carolina I think the point selected on the Charlotte and Columbia Railroad is as safe as any place I could now find. I have been and am still making preparations to complete the new prison. We have been delayed in the completion of the work by the interruption of the communications between this point and Charleston, which has prevented the district attorney from examining the title deeds to the property. That examination is now completed and the purchase made. The work will be pushed forward with all dispatch, and I hope very soon to have it occupied. I shall, agreeable to the indorsement of the Secretary, put myself in communication with the department commander and shall govern myself accordingly.

Respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

[First indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 4, 1865.

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

[Second indorsement.]

FEBRUARY 13, 1865.

ADJUTANT-GENERAL:

The removal of the prisoners of war from Columbia and Florence to points of greater safety in North Carolina has been ordered.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

[JANUARY 25, 1865.—For Grant to Stanton, in relation to an order allowing prisoners of war to purchase food and clothing, see Series I, Vol. XLVI, Part II, p. 253.]

HDQRS. DIST. OF WEST FLORIDA AND SOUTH ALABAMA,
East Pascagoula, Miss., January 25, 1865.

Lieut. Col. C. T. CHRISTENSEN, *Assistant Adjutant-General:*

COLONEL: In obedience to instructions received from headquarters Military Division of West Mississippi, dated January 23, 1865, in regard to alleged delays in receiving and shipping the cotton delivered at Mobile for the benefit of prisoners of war held by the United States, I have the honor to report that upon the 7th of December, 1864, having been officially notified on the 6th of the agreement made between the lieutenant-general commanding the Armies of the United States and Mr. Ould, agent of exchange, and directed by Major-General Halleck to carry it into execution, I addressed under flag of truce to the commanding officer at Mobile, Ala., an official communication, a copy of which, marked A,* is herewith transmitted, together with a copy of the reply to the same, marked B, and dated December 12, 1864;† that upon the 24th of December, 1864, an official communication from commanding officer at Mobile, dated December 22, 1864, was sent into my line at Franklin Creek, Miss., a copy of which is transmitted herewith, marked C,‡ my reply to which copy inclosed, marked D,§ dated December 25, was forwarded at daylight of that date for delivery via Mobile Bay, and was delivered on December 26, Capt. F. G. Noyes, the officer detailed by Special Orders, No. 61, from these headquarters, being in charge of such letter.

These letters comprise the entire correspondence had with me on the subject up to January 16 of this year, at which date the U. S. S. Atlanta sailed for New York with 827 bales of the cotton, the balance, 170 bales—three bales being deficient—having been forwarded to New Orleans per schooner for shipment from that port.

In the interim between December 26, the date of delivering my reply, and January 13, 1865, when the cargo was delivered for transfer to the Atlanta, the authorities at Mobile were never in readiness to deliver the cotton, although it may have been, as is alleged, ready on board of the lighter on December 23, as it perhaps had been for some time previous in waiting for an opportunity to run the blockade. In this interim, however, two vessels, a seagoing steamer and a naval steam-tug, with all officers and men engaged, were kept constantly in waiting by the authorities and at the sole expense of the Government of the United States; nor was there in all this time, not even from December 7, the date of my first communication on the subject, a single moment when there was not an immediate readiness on the part of the United States to receive and transmit this cotton.

I have the honor to forward inclosed, upon letter sheet marked M,‖ a copy of a portion of the correspondence between Captain Jenkins, U. S. Navy, commanding in Mobile Bay, and the commanding officer at Mobile, to which, as well as to the copy of an indorsement by Captain Jenkins, I respectfully invite attention.

The facility with which the commanding officer at Mobile, Ala., can notify Captain Jenkins, U. S. Navy, in the letter of December 19, of his present readiness to transfer the cotton, and the facility with which

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* See Vol. VII, this series, p. 1200.
† *Ibid.*, p. 1217.
‡ *Ibid.*, p. 1261.
§ *Ibid.*, p. 1271.
‖ *Ibid.*, pp. 1247, 1276, 1277.

he can find apologies for not doing it, is no less remarkable than his expression of a desire to be informed "if there is any impediment to the immediate transfer," which latter, in connection with any attempt to fasten responsibility for delay upon the authorities of the United States, must be presumed to have been written unfairly, with a view to the creation or suggestion of some "impediment."

I have also the honor to forward copies of letters received from the officer detailed under Special Orders, No. 61, while in Mobile Bay awaiting the delivery of the cotton, marked and dated as follows: No. 1, January 5, 1865; No. 2, January 13, 1865; No. 3, January 16, 1865.*

The apologies proffered by the authorities at Mobile for their delays and the repeated failures of their promises, when compared with any imputations of delay or neglect made against the authorities of the United States, present the same contrast that facts always do to fiction.

I am, colonel, very respectfully, your obedient servant,

GORDON GRANGER,
Major-General, Commanding.

[Indorsement.]

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, January 30, 1865.

Respectfully transmitted to the Headquarters of the Army.

The previous report from these headquarters† in relation to the transfer of this cotton is fully confirmed by the within detailed statement of Major-General Granger, and shows clearly that the delay is due to the dilatoriness on the part of the rebel authorities at Mobile. General Granger has exhibited a very commendable promptness and an obliging and patient disposition in the execution of his part of the transaction, in direct contrast to that of General Maury. Eight hundred and seven bales are reported to have left Mobile Bay en route for New York on the 16th instant; the balance of the quantity received (170 bales) was sent to this city by schooner for transshipment and will be forwarded by first opportunity. I recommend that the demurrage for the steamer Atlanta for the time her detention was caused by the rebel authorities be charged against the proceeds of this cotton.

ED. R. S. CANBY,
Major-General, Commanding.

WASHINGTON CITY, D. C., *January 25, 1865.*

Lieut. Col. JOHN E. MULFORD, U. S. Army, &c.:

SIR: I wish again to notify you that the proper orders have been given for sending to you George Dusky and Lieutenant Gandy, referred to in Mr. Ould's letter of November 29; and, of course, we expect the release of Lieutenant Hoff and Captain Boice, on the part of Mr. Ould. I remark, however, that Dusky has not been recognized as an officer. You will receive, also, four men from the penitentiary at Albany who have been under sentence there as spies. These, also, are not officers. I pray you to urge upon Mr. Ould the propriety of releasing immediately all of the parties held prisoners in the South—if not already done—designated to be relieved by the arrangement approved

* See Noyes to Montgomery, pp. 27, 67, 82, *ante*.
† See Canby to Halleck, January 10, p. 51.

and ordered by General Grant, upon the offer of Mr. Ould, indorsed upon the application for the exchange of Major Goff.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

HDQRS. U. S. TROOPS, NEW YORK CITY AND HARBOR,
New York, January 25, 1865.

Brig. Gen. H. W. WESSELLS, *Commissary-General of Prisoners:*

GENERAL: I have the honor to request that you will be kind enough to inform me which prisons contain no commissioned officers, and that you will forward a statement of the numbers of prisoners now held in the several prisons, and also that you will do me the favor to inform me from time to time of important changes in these numbers.

Very respectfully, your obedient servant,

H. E. PAINE,

Brigadier-General of Volunteers.

HEADQUARTERS MILITARY COMMANDER,
Wheeling, W. Va., January 25, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: Upon the receipt of Special Orders, No. 17, from your office, I immediately telegraphed you that no such men as Lieutenant Gandy and George Dusky were confined in the military prison at this post. Soon afterward, upon inquiry, I learned that Lieutenant Gandy was undergoing sentence of ten years' imprisonment for horse stealing, Wood County (W. Va.) circuit court. George Dusky is held by the civil authorities, under indictment for treason and robbing the mail. Both men are confined in the jail at this city, said jail being used also as a State prison for West Virginia.

I am, general, very respectfully, your obedient servant,

JAMES WASHBURN,

Colonel 116th Ohio Volunteer Infantry, Military Commander

RICHMOND, *January 25, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Many communications have lately passed by flag of truce from prisoners on each side who have been captives for a long time. They complain very bitterly that others, more recently captured, some of them belonging to the same command as themselves, have been released, while they still remain in confinement. Some of these letters are from officers and men who have been prisoners since early in 1863. Cannot something be done for the release of these parties? Can we not at least deliver all on both sides who were captured before the 1st of August, 1863? I would much prefer that you would extend the time to a later date. If, however, that cannot be done, let us at least relieve those who were captured before that time. I will deliver man for man and officer for officer, according to grade.

Respectfully, your obedient servant,

RO. OULD,

Agent of Exchange.

RICHMOND, *January 25, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Since the date of my letter of the 18th instant, containing a list of Confederate prisoners held in close confinement or irons, I have been reliably informed that Capt. R. G. Clarke, of the Confederate Army, is now confined in an iron cage in the Knoxville jail. I have seen a letter from him. I hope you will take immediate steps for his early delivery.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[JANUARY 25, 1865.—For correspondence relating to the arrest and execution of Allen McReynolds, of Missouri, see Series I, Vol. XLVIII, Part I, pp. 643-645.]

HDQRS. C. S. MIL. PRISONS EAST OF THE MISSISSIPPI,
Columbia, S. C., January 25, 1865.

Capt. J. S. RICHARDSON,
Assistant Quartermaster, Columbia, S. C.:

CAPTAIN: You will convert greenbacks to the amount of $200 for the immediate use of the prisoners with their consent, and let Lieut. James Ormond have it for use of our people in United States.

Respectfully,

JNO. H. WINDER,
Brigadier-General.

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48 BLEECKER STREET, *New York, January 26, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff U. S. Army:*

GENERAL: In accordance with your instructions of the 3d instant I have the honor to forward General Beall's application for the transfer of rebel officers for the distribution of supplies.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[Inclosure.]

NEW YORK, *January 26, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to state that I will be ready in a day or two to send supplies to Elmira Depot, and respectfully ask that Capt. R. M. Hewitt, Capt. John R. Fellows, and Capt. Q. A. Ross, now at Johnson's Island, Ohio, be at once transferred to said depot as a committee to receive and distribute the supplies. Also that officers be transferred for the same purpose to all the prisons where there are no officers confined. I would suggest as suitable Col. A. B. Montgomery and Major Pendleton, at Fort Lafayette; Col. B. W. Johnson, Colonel Powell, Col. B. Smith, of Tennessee, Col. W. B. Shelby, Major Winchester, Maj. D. S. Printup, Colonel Locke, Colonel George, of Mississippi, Colonel Maxwell, Col. C. Phillips, Col. D. B. Penn, Col. William H. Luse, Colonel Murchison, at Johnson's Island. I would further ask

that the officers be transferred to the prisons at the rate of one officer for every 2,000 men.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

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48 BLEECKER STREET, *New York, January 26, 1865.*

General STEWART VAN VLIET,
Chief Quartermaster, New York:

GENERAL: I have the honor to inclose for your inspection letters of Generals Grant and Halleck and Colonel Ould relating to supplies to prisoners of war.

You will perceive that General Beall's supplies are to be transported by our Quartermaster's Department. General Halleck's instructions require the transportation to be as expeditious as possible, and I send you this communication to notify you that General Beall will in a day or two be ready to commence his shipments, the first to Elmira. I will make in each case the earliest possible requisition for transportation and hope that his stores may be promptly forwarded. Be kind enough to return the inclosures.

I have the honor also to request you to furnish me an office for temporary use in the transaction of this business.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 26, 1865.

AMOS PILSBURY, *Superintendent Penitentiary, Albany, N. Y.:*

SIR: In pursuance of instructions received from the Secretary of War I am directed by the Commissary-General of Prisoners to request that Johnson S. Palmer, John R. H. Embert, Braxton Lyon, and Samuel B. Hearn, now confined at Albany penitentiary, be sent to Lieut. Col. John E. Mulford, agent for exchange, Fort Monroe, Va.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

GENERAL ORDERS, No. 4. } HDQRS. NORTHERN DEPARTMENT,
Cincinnati, Ohio, January 26, 1865.

Before a general court-martial which convened at Cincinnati, Ohio, January 17, 1865, pursuant to Special Orders, Nos. 212, 250, and 273, series of 1864, from these headquarters, and of which Lieut. Col. E. L. Webber, Eighty-eighth Regiment Ohio Volunteer Infantry, is president, was arraigned and tried:

S. B. Davis, alias Willoughby Cummings.

CHARGE: Being a spy.

Specification.—In this, that S. B. Davis, alias Willoughby Cummings, a rebel enemy of the United States, and being an officer in the service of the so-called Confederate States of America, did, on or about the 1st day of January, 1865, secretly and in disguise, enter and come within the lines of the regularly authorized and organized

military forces of the United States, and within the States of Ohio and Michigan, and did, then and there, secretly and covertly lurk, in the dress of a citizen, as a spy, and on or about the 12th day of January, 1865, did attempt to leave the said States of Ohio and Michigan, with the purpose and object of going to Richmond, Va., there to deliver dispatches and information from certain parties, whose names are unknown, hostile to the Government of the United States, to Jefferson Davis, President of the so-called Confederate States of America, but was arrested as a spy, on or about the 14th day of January, 1865, at or near Newark, within the said State of Ohio.

To which the accused pleaded as follows:

To the specification, guilty, except to the word "lurk" and the phrase "as a spy."

To the charge, not guilty.

FINDING AND SENTENCE.

The court, after mature deliberation on the evidence adduced, find the accused as follows:

Of the specification, guilty.

Of the charge, guilty.

Two-thirds of the members of the court concurring therein.

And the court do therefore sentence him, S. B. Davis, alias Willoughby Cummings, to be hung by the neck until he is dead, at such time and place as the commanding general may direct, two-thirds of the members of the court concurring therein.

The proceedings, finding, and sentence in the foregoing case of S. B. Davis, alias Willoughby Cummings, are approved and confirmed. He will be sent under proper guard by the commandant of post, Cincinnati, Ohio, and delivered into the custody of Col. C. W. Hill, commanding at Johnson's Island, who will see that the sentence in this case is duly executed at that place between the hours of 10 o'clock a. m. and 3 o'clock p. m. of Friday, the 17th day of February, A. D. 1865, and make due report thereof to the commanding general.

By command of Major-General Hooker:

C. H. POTTER,
Assistant Adjutant-General.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 26, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to inclose herewith copy of a letter* received from the Honorable Secretary of the Navy, authorizing the release of the officers and crew of the steamer Florida upon the express condition that they should leave the United States within ten days after their liberation. But only two of them have availed themselves of this privilege, viz, S. G. Stone and G. D. Bryan, late lieutenant and master of the Florida, whose paroles are herewith transmitted.† The remainder desire to await the sailing of the next European steamer before complying with the expressed condition.

Very respectfully, your obedient servant,

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 26, 1865.

Brig. Gen. JAMES BARNES,
Commanding District of Saint Mary's, Point Lookout, Md.:

GENERAL: By direction of the Secretary of War you will at once commence the erection of three additional hospital buildings in the

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* See Welles to Allen, January 17, p. 83. † Omitted.

prison camp at Point Lookout in accordance with the plan and estimate submitted by you on the 16th instant. The labor of the prisoners will be used as far as possible, and the strictest economy will be observed. The expenses will be paid from the prison fund.

Very respectfully, your obedient servant,

H. W. WESSELLS,

Brig. Gen. of Vols., Inspector and Com. Gen. of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 26, 1865.

Col. A. A. STEVENS,
Commanding Camp Morton, Indianapolis, Ind.:

COLONEL: In reply to communication forwarded by you on the 4th instant, I have the honor to inform you, by the direction of the Commissary-General of Prisoners, that the erection of three additional hospital buildings at Camp Morton, to be paid for from the prison fund, is approved by the Secretary of War. The proposed wards to be the same dimensions as those recently built. In the erection of these buildings you will be governed by the instructions from this office in regard to the building of the wards. The labor of the prisoners will be used as far as practicable.

Very respectfully, your obedient servant,

G. BLAGDEN,

Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

HEADQUARTERS DEPARTMENT OF THE OHIO,
Louisville, Ky., January 26, 1865.

Maj. Gen. JOHN C. BRECKINRIDGE:

SIR: Your communication of the 12th instant, addressed to the commanding officer U. S. forces, Knoxville, Tenn., has been referred to these headquarters. In this communication you state that during the recent raid under Major-General Stoneman a number of officers and men were captured and paroled to report at Knoxville at a future day and that they were recaptured by the occupation of the Confederate forces, and were released from the operation of the parole given. If any men "not officers of the Confederate Army were paroled to report at Knoxville they were paroled contrary to my orders." Applications were made to permit hospital stewards and other men not commissioned officers to go to Knoxville on parole, but in all cases the applications were refused. The officers were captured with others at Bristol, principally.

By their own request they were permitted to go by a prescribed route to Knoxville, East Tenn., on parole. It was a privilege granted them in order that they might be enabled to procure some means of transportation for themselves and baggage, they having no horses, instead of being compelled to go at once and on foot with the other prisoners, who were sent to Knoxville under a strong guard.

The time allowed them to reach Knoxville was limited, unless they were physically unable to report at its expiration, in which case they were to report as soon as they were able so to do; they were all told explicitly by myself that they were not paroled as a matter of expediency, inasmuch as several hundred prisoners would be sent under guard the next morning to Knoxville (which was done), and they could all be sent together, but that it was to be understood that this was

done by their own request and as a special favor to them, for which they expressed themselves as under many obligations. The officers you named, in violation of their word of honor, which in the language of the written instrument, signed by each in duplicate, was given "without any evasion or mental reservation whatsoever," remained at Bristol until long after the time had expired in which they were allowed to report at Knoxville, and it cannot be admitted that they were "recaptured" or that they can claim exemption from the responsibilities attached to a violation of the word of honor of an officer and a gentleman.

If they are justified by their Government in the course they have thought fit to pursue, it will serve hereafter as a warning to myself and others who may be inclined to show favors to Confederate officers prisoners of war.

I am very glad to learn that Medical Director Ramsey and other surgeons captured at Bristol will be sent through by flag, and that we are to get back Surgeon Carrick and other surgeons. You will find by reference to the agreement made between Brigadier-General Vaughn and the representative of the U. S. authorities "that there were some conditions attached to that agreement exempting citizens from arrest which must be complied with, amongst which are these, that the citizen must belong to Tennessee, must be at his own home, and must not be engaged in any occupation in violation of law and military regulations, or be in the employ of either Government."

Mr. Sperry, the only person you name as having been arrested, and now held contrary to this agreement, and whose release is requested, is a citizen of Knoxville and not of Bristol; he was not at his own home and was engaged in publishing a Knoxville paper at the time of his arrest, and if not in the employ of the Confederate Government, was doing all in his power against the United States Government through the medium of his press, in violation of both law and military regulations; he is now in the hands of the civil authorities and not subject to military control.

In this connection permit me to inform you that since the agreement you speak of was entered into, twenty-one persons, citizens of Monroe County, Tenn., have been arrested by the Confederate authorities, so I am informed by the U. S. provost-marshal-general of East Tennessee, and also that orders were given by me last month directing that all citizens of Tennessee who came within the terms of the agreement alluded to, and all citizens of Virginia not in the employ of the Confederate Government, should be released and sent to their homes, and I am informed that my instructions have been complied with.

I am, general, very respectfully, your obedient servant,

GEORGE STONEMAN,
Major-General.

HEADQUARTERS PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 26, 1865.

General S. COOPER,
Adjutant and Inspector General, Richmond:

GENERAL: The Federal prisoners of war at all the prisons are suffering very much for want of clothing. I would be glad if the attention of the Federal Government was called to the fact.

Very respectfully, your obedient servant,

JNO. H. WINDER,
Brigadier-General.

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
Fort Monroe, Va., January 27, 1865.

Hon. R. OULD, *Agent for Exchange, Richmond, Va.:*

SIR: I have the honor to inform you that I am in daily receipt of official information of the prompt action of the U. S. authorities for the release of that class of prisoners embraced in our recent arrangement for the release and return home of "all prisoners of war in confinement (close) or irons, as the case may be," and I shall be able to deliver many of them to you on my next trip, as they are now on the way to Fort Monroe for that purpose. I trust your authorities have been no less prompt in this good work, and that by this time our men are at least enjoying the full extent of that liberty usually extended to "prisoners of war." This I know to be the case with your men.

I am, very respectfully, your obedient servant,

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

NEW YORK, *January 27, 1865.*

Brig. Gen. W. N. R. BEALL, *75 Murray Street:*

GENERAL: I have the honor to inform you that I yesterday made application to the War Department for the transfer of commissioned officers as requested in your note. Upon reference to my answer to your letter of 26th ultimo you will remember that your application for leave to receive contributions for prisoners from persons resident in the North has already been twice made to the War Department, and is doubtless finally disposed of in the absence of an agreement between General Grant and Mr. Ould covering the case.

The order (299) of December 7, 1864, would seem to justify your claim to receive contributions from the South; but the case of contributions from the North is quite different. I will promptly advise you of any arrangement which may be made applicable to the latter.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

QUARTERMASTER'S OFFICE, *New York, January 27, 1865.*

General H. E. PAINE,
Brigadier-General of Volunteers, 48 Bleecker Street:

GENERAL: In reply to your letter of yesterday I have the honor to state that I will send forward all such stores as you may call on me to transport without delay. I have written to General Peck to turn over to you for your office a room in his building, and have directed one of my agents, Mr. Bull, to have it put in order for your use.

I am, very respectfully, your obedient servant,

STEWART VAN VLIET,
Brevet Brigadier-General of Volunteers.

P. S.—I return herewith the papers which you sent me in your letter in accordance with your request.

S. V.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 27, 1865.

Col. B. F. TRACY,
Commanding Depot Prisoners of War, Elmira, N. Y.:

COLONEL: I have the honor, by direction of the Commissary-General of Prisoners, to acknowledge receipt of requisitions for clothing forwarded by you for approval on the 21st instant. As the cotton for the purchase of supplies for rebel prisoners has arrived at New York, it is supposed that clothing will be forwarded by General Beall nearly or quite as soon as it could be furnished by the Quartermaster's Department. The requisitions will be held for the present.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

COLUMBIA, S. C., *January 27, 1865.*

Brig. Gen. J. H. WINDER,
Commissary-General of Military Prisons:

GENERAL: In obedience to Special Orders, No. 15, of January 23, I have the honor to report the results of an inspection made by me of the military prison at Florence, S. C.:

The general discipline is perfectly satisfactory; everything in the interior of the stockade exhibits great energy and tact. The hospital department is ample and comfortable, and the patients are well cared for. The subsistence department is entirely deficient, and the ration issued daily amounts almost to starvation. There has been but two issues of meat in the last two months and scarcely ever sirup. This will be better explained by document marked A, from Lieutenant-Colonel Iverson, commanding prison.

There is no officer of the Quartermaster's Department at this prison nor any transportation, and the laborers (prisoners) are compelled to carry the timber for the construction of buildings necessary for the public use on their shoulders full one mile.

I would most respectfully suggest that an assistant quartermaster be sent to the prison as soon as possible, and he be supplied with transportation sufficient for their use.

The books are well and neatly kept, and any prisoner can be found or accounted for in a moment.

The number of prisoners are as follows:

In the stockade	6,845
Paroled to work	156
In hospital	537
Total	7,538

The mortality among the prisoners is an average of six per day, and the prevailing disease diarrhea. Some few cases of smallpox and typhoid fever.

The guard force inefficient and without proper discipline, and are composed of reserves and about ninety men of the Fifty-fifth Georgia Volunteers.

All of which is respectfully submitted.

H. FORNO,
Colonel, Provisional Army.

[First indorsement.]

COLUMBIA, S. C., *January 28, 1865.*

Respectfully referred to Adjutant and Inspector General and attention asked to report on Subsistence Department.

The ration to prisoners is very small and insufficient. Great inconvenience is felt from not having an assistant commissary of subsistence to the prisons. I find that where we have to depend upon the staff officers of the posts we can get nothing but what is forced out of them.

JNO. H. WINDER,
Brigadier-General.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 2, 1865.

Respectfully referred to Adjutant and Inspector General.

It is quite probable that the assignment of a commissary may be the means of bettering the condition of the prisoners at Florence, S. C.

R. H. CHILTON,
Assistant Adjutant and Inspector General.

[Third indorsement.]

FEBRUARY 2, 1865.

Respectfully referred to Commissary-General for his consideration in connection with the telegram of General Winder, a copy of which was furnished the Subsistence Bureau.

By command of the Secretary of War:

JOHN W. RIELY,
Major and Assistant Adjutant-General.

[Fourth indorsement.]

SUBSISTENCE BUREAU, *February 4, 1865.*

Respectfully returned to Adjutant and Inspector General.

Unless more money is furnished the bureau it will be impossible to continue to issue the present ration to prisoners of war, much less to increase it.

L. B. NORTHROP,
Commissary-General.

[Fifth indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 9, 1865.

Respectfully submitted to the Secretary of War.

H. L. CLAY,
Assistant Adjutant-General.

[Sixth indorsement.]

FEBRUARY 14, 1865.

Respectfully referred for the information of the Honorable Secretary of the Treasury.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

[Seventh indorsement.]

FEBRUARY 18, 1865.

Respectfully returned to the Honorable Secretary of War.

Every effort is being made to supply the necessary funds for the pay of our returned prisoners. The means at the command of the Treasury is extremely limited, and no provision has yet been made by Congress for the replenishment of the Treasury.

G. A. TRENHOLM,
Secretary of the Treasury.

[Inclosure.]

A.

HEADQUARTERS FLORENCE MILITARY PRISON,
Near Florence, S. C., January 26, 1865.

Col. H. FORNO, *Inspector Military Prisons, South Carolina:*

COLONEL: I have the honor to state that the post commissary is issuing the following rations to the prisoners at this prison: One pound of meal, one-third pound of peas, three pounds of salt per 100 rations per day. No soap, tobacco, or meat is issued, except one-half pound of beef per day to men who do duty as laborers on Government work. These rations are, in my judgment, totally insufficient for the sustenance of the prisoners, and I respectfully urge that, if possible, the rations be increased.

I am, very respectfully, your obedient servant,
JNO. F. IVERSON,
Lieutenant-Colonel, Commanding.

[Indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 2, 1865.

Respectfully submitted to the Secretary of War.

This is an inclosure to an inspection report of Colonel Forno, forwarded by Brigadier-General Winder, Commissary-General of Prisoners.

[JANUARY 27, 1865.—For A. S. Cunningham's report of inspection of prison at Danville, Va., see Series I, Vol. XLVI, Part II, p. 1150.]

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48 BLEECKER STREET, *New York, January 28, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff U. S. Army:*

GENERAL: General Beall has again asked for permission to receive and forward to prisoners of war contributions from friends resident within our lines. I replied that this application had already been twice made at headquarters, and was doubtless finally disposed of in the absence of an agreement between Mr. Ould and General Grant covering the case; that while the General Order 299, of December 7, 1864, would seem to justify a claim to receive contributions from Southern friends, properly forwarded, the case of aid from residents of the North was quite different, but I promised to advise him promptly if any new arrangement should be made applicable to this case.

I have the honor to request that you will inform me if any such arrangement is effected.

Most respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[First indorsement.]

JANUARY 31, 1865.

Respectfully referred to Lieutenant-General Grant.

The Secretary of War knows of no agreement authorizing our people to send presents to rebel prisoners of war.

H. W. HALLECK,
Major-General and Chief of Staff.

[Second indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., February 7, 1865.

Respectfully returned.

No stipulation has been entered into between Judge Ould and myself authorizing contributions to Confederate prisoners of war from friends within our lines, nor would I consent to such an arrangement.

U. S. GRANT,
Lieutenant-General.

NEW YORK, *January 28, 1865.*

Brig. Gen. W. N. R. BEALL, *75 Murray Street:*

GENERAL: Your favor is received. My office is still at 48 Bleecker street, but I shall this evening remove to 37 Bleecker street, nearly opposite General Hunt's headquarters. My office hours are from 11 a. m. until 4 p. m. Be kind enough to give me timely notice of required transportation, so that I may make such arrangements as will save you from any delay.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 28, 1865.

Maj. H. A. ALLEN, *Commanding Fort Warren:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—orderly. Cleanliness—satisfactory. Clothing—in good order. Bedding—in good order. State of quarters—as neat and clean as can be expected. State of mess-houses—clean and well conducted. State of kitchen—clean and well conducted. Food, quality of—good. Food, quantity of—the full allowance. Water—good. Sinks—in good order. Police of grounds—once every day. Drainage—good. Police of hospital—no special hospital for prisoners. Attendance of sick—regular. Hospital diet—as ordered by surgeon; good. General health of prisoners—good. Vigilance of guard—satisfactory.

Very respectfully, your obedient servant,

W. H. WOODMAN,
First Lieut., First Batt. Mass. Vol. Arty., and Inspecting Officer.

HEADQUARTERS MILITARY COMMANDANT,
Louisville, Ky., January 28, 1865.

Capt. STEPHEN E. JONES, *Additional Aide-de-Camp:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—blankets. State of quarters—clean. State of mess-houses—clean. State of kitchen—clean. Food, quality of—good. Food, quantity of—prison ration. Water—good. Sinks—clean. Police of grounds—good. Drainage—good. Police of hospital— ———. Attendance of sick—good. Hospital diet—good. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—In regard to the fire which occurred at the prison on the 27th January, 1865, I am, in common with the committee appointed to investigate the cause and origin of said fire, satisfied from the evidence adduced that it was accidental, and that blame attaches to no one, and would suggest that great credit is due to the officers and soldiers on guard at the time for the great exertions used by them, and which were successful, in saving the remaining buildings of the prison. This report would have been forwarded sooner but for the fact that I have been ill and confined to my room by sickness so as to be unable to attend to business of any kind.

Very respectfully, your obedient servant,

LEWIS BUCKNER,
Captain and Post Inspecting Officer.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 28, 1865.

Lieut. Col. C. T. CHRISTENSEN, *Assistant Adjutant-General:*

COLONEL: I beg leave to call the attention of the major-general commanding to the inclosed list of rebel officers, prisoners of war, confined at Johnson's Island, Ohio, whose exchange is contemplated in existing agreements between Major Szymanski and myself, but who were not forwarded for exchange with other officers lately received here from Johnson's Island. The eight officers whose names occur first upon this list were captured at Donaldsonville, La., in June, 1863, and their exchange was agreed upon by the cartel of January 4, 1864. It is said that they are erroneously entered upon the rolls at Johnson's Island as captured at Port Hudson, La. If so, that fact no doubt accounts for their retention. The remainder of the officers named in the list were captured at various times and places by the forces of Major-General Steele, commanding Department of Arkansas, prior to July 28, 1864, and are therefore embraced in Article II of the cartel of that date. It was undoubtedly the intention of the Commissary-General of Prisoners that all the officers included in this category should be sent here when most of them were sent; but those named in this list have been retained at Johnson's Island by reason of some mistake in their description upon the rolls or some misunderstanding of their cases. I have to ask that this list be forwarded to the Commissary-General of Prisoners, with the request that the officers named in it may be forwarded to us for exchange, as contemplated in the agreements above referred to.

I am, colonel, very respectfully, your obedient servant,

CH. C. DWIGHT,
Colonel and Agent of Exchange.

[First indorsement.]

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, January 30, 1865.

Respectfully forwarded.

These officers are included in the provisions of an exchange made by me and subsequently approved by the Secretary of War. General Hoffman reported that the officers of the Donaldsonville capture had made their escape, but letters have recently been received from some of them who are still in confinement at Johnson's Island. I now forward this list,* with the request that such of them as may still be under our control may be sent to me.

ED. R. S. CANBY,
Major-General.

[Second indorsement.]

FEBRUARY 13, 1865.

Respectfully forwarded to General Hoffman, with instructions to give full effect to the agreements for exchange referred to by General Canby and to report his action to General Canby.

By order of the Secretary of War:

E. A. HITCHCOCK,
Major-General of Volunteers.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, January 29, 1865.

Lieut. Col. MARTIN BURKE, *Commanding Fort Lafayette:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war confined at this station for the week ending January 29, 1865:

Conduct—very good. Cleanliness—generally very good. Clothing—good. Bedding—iron bedsteads, husk mattresses, blankets, sheets, and pillows. State of quarters—very good. State of messhouses—cleanly. Food, quality of—good. Food, quantity of—circular of June 1, 1864, complied with. Water—excellent (Croton). Sinks—cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post; prisoners very sick are sent to Fort Hamilton. Attendance of sick—Hospital Doctor Gibson attends to sick every morning. Hospital diet—none at post. General health of prisoners—very good. Vigilance of guard—guards vigilant; prisoners verified three times during the night.

Remarks and suggestions.—There are fifty-five prisoners at this post, consisting of prisoners of war and state. Their treatment as regards quarters and exercise is excellent. Everything allowed by existing orders is furnished to them, and a good degree of satisfaction is expressed by them for the uniform excellence of their treatment.

Very respectfully, your obedient servant,

CHARLES STEELHAMMER,
First Lieut., Seventeenth U. S. Infty., Post Adjt. and Insp. Officer.

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* Place, date of capture, and by whom captured omitted. The officers are—Majors D. W. Shannon and A. Ridley; Captains H. H. Hall, Thomas Bartlett, H. G. Bruce, H. M. Ellis, James McKill, and F. P. Steck; Lieutenants J. A. Shepard, J. M. Elkins, J. A. Darby, A. M. Lyles, W. H. Mitchell, Edward Bisart, P. H. Pruett, E. M. Heath, and J. M. Wright; Assistant Quartermaster C. L. Moore.

[Indorsement.]

Treatment, &c., in accordance with instructions received, is strictly carried out and adhered to.

Respectfully referred to the Commissary-General of Prisoners.

MARTIN BURKE,
Lieutenant-Colonel, U. S. Army, Commanding Post.

HEADQUARTERS FORT DELAWARE, DEL.,
January 29, 1865.

Brig. Gen. A. SCHOEPF, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—proper attention given to. Clothing—some are too thinly clad for such exceedingly cold weather. Bedding—consists of bunks and blankets (see remarks). State of quarters—clean and comfortable. State of mess-houses—kept in an excellent condition. State of kitchen—perfectly clean and well conducted. Food, quality of—very good. Food, quantity of—sufficient. Water—plenty of good water. Sinks—being improved. Police of grounds—kept as clean as possible. Drainage—very good. Police of hospital—very well conducted. Attendance of sick—receive excellent care. Hospital diet—very good and sufficient. General health of prisoners—about 8½ per cent. sick, eleven deaths during the week. Vigilance of guard—good.

Remarks and suggestions.—Many of the prisoners apply for permission to purchase bedsacks. I have the honor to inquire whether their application can be granted.

Very respectfully, your obedient servant,

GEO. W. AHL,
Captain, Acting Assistant Adjutant-General and Insp. Officer.

HEADQUARTERS SUPERINTENDENT OF PRISON,
Johnson's Island, Ohio, January 29, 1865.

Col. CHARLES W. HILL,
128th Ohio Vol. Infty., Comdg. U. S. Forces, Johnson's Island, Ohio:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 29, 1865:

Conduct—good. Cleanliness—good. Clothing—comfortable. Bedding—fair. State of quarters—fair. State of mess-houses—good. State of kitchen—fair. Food, quality of—good. Food, quantity of—prisoners' ration. Water—good, lake. Sinks—fair. Police of grounds—not good on account of snow and ice. Drainage—good. Police of hospital—very good. Attendance of sick—good. Hospital diet—good and abundant. General health of prisoners—very good. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,019; number of deaths since last report, 1; number of sick in hospital, 52.

Very respectfully, your obedient servant.

E. A. SCOVILL,
Lieut. Col. 128th Regiment Ohio Vol. Infantry. Inspecting Officer.

U. S. MILITARY PRISON,
Camp Morton, Indianapolis, Ind., January 29, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—good. State of clothing—good. Bedding—good. State of quarters—kept well policed. State of mess-houses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being in accordance to orders. Water—sufficient. Sinks—sufficient for cold weather. Police of grounds—covered with snow and ice all week. Drainage—complete. Police of hospital—good. Attendance of sick—good. Hospital diet—first class. General health of prisoners—bad and fatality great. Vigilance of guard—very strict.

Remarks and suggestions.—I would respectfully suggest that, owing to the barracks in this camp being badly constructed for cold weather and the weather being so extremely cold, the sickness has increased very rapidly in the past week and the casualties have been very heavy. Also that the new hospital wards under construction are completed and are being occupied by the sick in camp, but unfortunately there is not sufficient room in them for the sick in camp, and, in my opinion, at least three additional wards are still needed to contain them.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieutenant, Veteran Reserve Corps, Inspecting Officer.

[Indorsement.]

Capt. W. T. HARTZ,
Asst. Adjt. Gen., Office Commissary-General of Prisoners:

CAPTAIN: I have the honor to state that the instructions from your office for the construction of additional hospital wards at this camp have just been received and will be complied with as early as possible. Much of the sickness amongst the prisoners at this camp is, in my opinion, to be attributed to the barracks being low and poorly ventilated and without floors, originally constructed for cattle stalls and State fair purposes, and should, in my opinion, be removed from their present location to a more central portion of the camp and reconstructed with floors, &c.

Respectfully referred to the Commissary-General of Prisoners.

A. A. STEVENS,
Colonel, Commanding.

HEADQUARTERS CAMP DOUGLAS,
Chicago, Ill., January 29, 1865.

Col. B. J. SWEET,
Eighth Regt. Veteran Reserve Corps, Comdg. Post of Chicago:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—good. Clothing—all that is necessary. Bedding—all that is necessary, except blankets. State of quarters—good; well ventilated and clean. State of kitchen—in as good condition as those of garrison. Food, quality of—good; same as used by garrison. Food, quantity of—all that is necessary. Water—all

that is necessary. Sinks—very clean; washed every morning. Police of grounds—good. Drainage—good. Police of hospital—fair. Attendance of sick—all that is necessary. Hospital diet—good. General health of prisoners—good. Vigilance of guard—thorough.

Remarks and suggestions.

Whole number of prisoners last report	11,436
Whole number of prisoners died since last report	83
Whole number of prisoners released since last report	41
Total decrease	124
Total number of prisoners present	11,312

I respectfully recommend that the sutler be directed to keep constantly on hand and for sale to the prisoners onions and cabbage whenever they can be procured.

Very respectfully, your obedient servant,

WELLS SPONABLE,
Captain and Inspecting Officer.

HEADQUARTERS SHIP ISLAND, MISS.,
SEVENTY-FOURTH U. S. COLORED INFANTRY,
January 29, 1865.

COMMISSARY-GENERAL OF PRISONERS:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 29, 1865:

Conduct—very good indeed. Cleanliness—strict orders are generally attended to. Clothing—scanty; United States Government has, however, furnished some lately. Bedding—straw. State of quarters—second-hand A tents. State of mess-houses—none. State of kitchen—good. Food, quality of—good. Food, quantity of—plenty. Water—good. Sinks—well attended to. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—attended to. General health of prisoners—good at present. Vigilance of guard—admirable.

[Indorsement.]

Lieut. John Ahlefeldt, who was acting assistant commissary of prisoners, has been relieved and ordered to report to his company for duty, and having only a few officers for garrison duty I have not yet appointed any one to take his place. The officer of the prisoners' guard sends into these headquarters every morning an inspection report stating therein how he receives, in what condition he has the camp turned over to him. If desired, I shall forward these daily reports as long as I have no commissary of prisoners. I find things work better here without any such assistance, especially as the commanding officer is held responsible for everything. Blankets and better tents or some means to get lumber to build quarters are very much needed. I have 200,000 feet of lumber and over 300 cords of wood on Cat Island, but no light-draft steamer to bring them here.

Respectfully referred to the Commissary-General of Prisoners.

ERNEST W. HOLMSTEDT,
Colonel 74th U. S. Colored Infantry, Comdg. Ship Island, Miss.

HDQRS MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., January 29, 1865.

Brig. Gen. D. ULLMANN, *Commanding at Morganza:*

GENERAL: By direction of the major-general commanding you will please forward a copy of the following communication by flag of truce to an outpost of the enemy:

Maj. IG. SZYMANSKI,
Assistant Agent of Exchange, Trans-Mississippi Department:

MAJOR: I have the honor to inform you that prisoners of war, embraced in our existing agreements for exchange to the number of 2 officers and 275 enlisted men, in addition to those delivered by me at Fort De Russy on Monday last, have arrived at this place from Northern stations for exchange. They are equivalent to 303 privates, which, together with the equivalents of those delivered at Fort De Russy on the 23d instant, makes an aggregate equivalent to 1,098 privates. A large number of enlisted men and some officers are still to arrive from other Northern stations; but I cannot now give either their number or the date upon which they may be expected. I trust, however, you will not delay the delivery of equivalents for those already delivered and those mentioned above who are now ready for delivery.

I have had the honor to inform you in two previous communications that Admiral Buchanan will be exchanged with his comrades, and I therefore hope that our naval prisoners will be included in the first delivery made by you.

I am, major, very respectfully, your obedient servant,

CHARLES C. DWIGHT,
Colonel and Agent of Exchange.

Respectfully,

CHARLES C. DWIGHT,
Colonel and Agent of Exchange.

NAVY DEPARTMENT, *January 30, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: In August last an expedition from the U. S. S. Saratoga captured in McIntosh County, Ga., twenty-five or thirty persons who were engaged in a county meeting called for the purpose of organizing a home guard or to adopt measures for more effective defense. Some of these held prominent civil offices. They claimed to be non-combatants, but in view of the circumstances under which they were captured it was deemed advisable to treat them as prisoners of war. Rear-Admiral Dahlgren was authorized subsequently to offer them in exchange for sick and wounded seamen whose terms of service had expired. He did so and informed the Department that General Hardee accepts the proposition, the exchange to embrace three colored seamen of the U. S. S. Isaac Smith, who were captured two years ago. It would appear that these prisoners have been sent North to some military post for confinement, as Rear-Admiral Dahlgren asks that they may be returned to him for the purpose above indicated. The matter of exchange having been conducted by the War Department, this Department refers this case to it and would recommend favorable action on it. The persons captured in McIntosh County, with but few exceptions, are over the usual age for regular military duty.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

[First indorsement.]

WAR DEPARTMENT, *January 31, 1865.*

Referred to the Commissary-General of Prisoners to comply with the request of the Secretary of the Navy.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 17, 1865.

Respectfully returned to the Secretary of War.

It is impossible to identify these parties on the records of this office unless their names can be given.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, D. C., *January 30, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: In an address by General Butler, reported as having been recently made to the people of Lowell, Mass., he is represented to have said something which implies that he was in the successful execution of the duty of exchange when he was stopped by an order, but without stating from whom the order issued

As my name has been more or less connected with the business of exchange, I deem it proper to make the following explanation, which, in order to be intelligible, requires that I should refer to the original cause of the interruption of exchanges under the cartel of 1861 [1862], which was this: Jefferson Davis in a message to his Congress, some two years or more since, announced his purpose to deliver to the State authorities such white Union officers as might be captured serving in command of colored troops, to be dealt with according to State laws in the South providing for the punishment of criminals engaged in exciting servile insurrection.

As soon as this became known to His Excellency the President he saw in that message a declared purpose to disregard the provisions of the cartel for the exchange of prisoners, and he thereupon directed that no further deliveries of captured rebel officers should be made from our side, as a necessary preparative to meet the threatened purpose of Mr. Davis. For a time after this enlisted men continued to be delivered on both sides, which, however, at length unavoidably ceased.

In July, 1863, upon the surrender of Vicksburg to General Grant, over thirty thousand rebel soldiers were left in the country by him on parole not to take arms until exchanged, to which number there were soon added several thousand captured by General Banks at Port Hudson, the garrison of that place, except the officers, having also been released on parole, according to the usages of war.

In this state of things it will be seen that we had a valid claim for a large number of prisoners as an offset for those paroled by us in the South; but the rebel authorities had not in their hands prisoners of war with whom to balance the account.

Under these circumstances, as subsequent events fully demonstrated, the rebel authorities inaugurated a peculiar system for making what they chose to consider prisoners of war, to wit, that of capturing bodies of citizens in States accessible to them by raiding parties at vulnerable points—Kentucky, Tennessee, and Mississippi—these raiding parties being composed of every species of regular and irregular forces, and placing such citizens under oath not to take arms against the Southern Confederacy until exchanged.

It will be apparent that while we had this claim upon the rebel authorities deliveries from our side could not be made, and for a time there was a total suspension of exchanges, and prisoners began to accumulate on both sides, each party holding their captured prisoners.

At length our claim upon the rebel authorities was met under a perverted construction of the fifth article of the cartel by a sudden and unauthorized declaration of exchange by the rebel agent of exchange without any conference or agreement whatever with our agent of exchange stationed at Fort Monroe. By that *ex parte* declaration our enemy released from parole a large body of General Grant's prisoners without giving us any proper equivalents, and it is proper to observe that the enemy selected his own time for making this declaration, and by means of it threw into the rebel army, without any proper authority according to the laws of war, a large body of men just prior to the great battles which gave us the possession of East Tennessee in spite of the fraudulent attempt to overwhelm our troops by means of the declaration of exchange referred to. The declaration itself was deliberately prepared for by the enemy by an order directing the rebel paroled prisoners in the South to report themselves at Enterprise, in Mississippi, ostensibly for instruction, so that when the declaration was made our commanders found themselves confronted not only by a large army of actual rebels, but by a large body associated with them in violation of every known law of war.

It was impossible to permit this outrage to be committed without a protest on our part, which was made, as a matter of course, by our agent of exchange. The correspondence at that time between the two agents was conducted with some asperity, the rebel agent attempting to justify himself by furnishing a schedule of captures, embracing some that were legitimate, but with others made up of the class of persons captured in Kentucky, Tennessee, and Mississippi, who could in no sense be considered prisoners of war, and it was found impossible to carry on the business of exchange under such conditions as the rebel agent of exchange attempted to enforce upon us, the enemy meanwhile refusing to recognize our claim that all of the troops employed by the United States were equally entitled, when captured, to be treated as prisoners of war, the disposition of the enemy being about that time sufficiently manifested in the barbarous butchery of portions of the Union Army which unhappily fell into their hands, making the duty on our side the more imperative to hold such prisoners as the Union Army might capture for such disposition as the laws of war might justify or require to restrain the enemy from their barbarous practices.

About the time when all exchanges had fully ceased, and the controversy about exchanges had measurably closed, we had a valid claim upon the rebels for more than thirty-four thousand prisoners, the rebel agent having followed up his own example of making unauthorized *ex parte* declarations of exchange without any agreement whatever with our agent, until he had put into the rebel ranks the whole of the prisoners captured by General Grant and General Banks.

As the commissioner of exchange, myself, throughout the whole of the matters above detailed, I was not in direct communication with the rebel agent, but the correspondence was conducted on our part, first by Lieutenant-Colonel Ludlow, and afterward by General Meredith.

At length General Butler was appointed to command, with his headquarters at Fort Monroe. He appears very soon to have conceived the idea that he could effect exchanges if empowered to do so; and a rumor to that point having reached me, I addressed a note to the Secretary of War, who may remember that I proposed to withdraw from the duty in favor of any officer who could make exchanges which should be satisfactory to the Department, but was informed that it was unnecessary, as the Department had other duties for me.

Rumors with regard to General Butler's ability to make exchanges continued to reach the Secretary of War, and upon being sent for myself I found the Secretary in conference with General Halleck upon the subject, and heard the statement made by the Secretary that General Butler was not only of the opinion himself that he could effect exchanges if empowered so to do, but that it was also the opinion of several members of Congress, upon which I expressed the opinion that he ought to be allowed to try; and I was thereupon directed to proceed to Fort Monroe to communicate the authority of the Secretary of War to General Butler to make exchanges of man for man, or officer for officer, according to grade, enjoining upon General Butler that he was on no account to compromise or jeopardize the claims of our colored troops to the protection of the Government, according to the laws of war.

I proceeded to Fort Monroe, and after communicating with General Butler, and stating the restrictions under which the Secretary had placed him, I signed his orders, which were drawn up by himself, giving him the authority he desired, and returned to this city.

It is proper that I should state here that General Butler is my senior in rank, and that he immediately assumed the designation of commissioner of exchange, and has acted ever since in entire independence of myself, making no reports to me of his proceedings in that character, which I mention simply as a fact, but not as taking exception to it. From that time until within a few days I have had no practical control of the subject of exchanges.

Soon after receiving the proper authority to make exchanges General Butler sent for exchange several hundred rebel prisoners by the flag-of-truce boat, offering them in exchange for a like number of Union prisoners. When this became known to the rebel authorities—as I feel justified in saying from the information I have received—there was some sort of conference held by the chief rebel officers in Richmond, in which it was determined that inasmuch as a number of their men had been sent for exchange, and were then within what they considered their boundaries, they should not be turned back into captivity, but that a corresponding number of Union prisoners should be delivered in exchange for them; but it was decided at the same time by the authorities in Richmond that, under a proclamation of Jefferson Davis, General Butler was an outlaw, and that no business whatever should be done with him, and, as I am credibly informed, they declared that the flag of truce even should not protect him. This put an end to any further proceedings for some length of time in the business of exchange, and until an experiment was made at my suggestion, though not after the manner suggested by me. I had recommended to the Secretary of War that 300 or 400 rebel officers should be sent for exchange under a flag of truce, which I knew would not be accompanied by General Butler himself, and I was in hopes that public opinion in Richmond would constrain the authorities to accept that class of prisoners and return a like number for them, after which I thought they could not refuse to receive a boatload of their men. This suggestion was approved by the Secretary of War, and General Butler was directed through General (then Colonel) Canby to make the trial, but General Butler assumed to deviate from his orders, and sent a boatload of officers and men instead of officers alone. The enemy thereupon decided to return, not a like number of officers and men, but a number proportionate to the number of Union prisoners held by them as against the number of rebel prisoners held by us.

Several boatloads were exchanged in this manner, the Richmond papers stating distinctly the method adopted by their agent, the effect of which would have been to withdraw from us all of the prisoners we held for a much less number, while the question of our claim to equivalents, under the unauthorized declarations of the rebel agent, was entirely abandoned, and there was no security for the proper treatment by the rebels of such of the colored soldiers and their officers as might fall into their hands.

After some three or four boatloads had been thus exchanged our Commissary-General of Prisoners called my attention to official reports, by which it appeared that, in these last exchanges, the prisoners returned by the rebel agent for rebel prisoners delivered by us fell short of the number we were entitled to by more than five hundred men, which fact I felt it my duty to state to the Secretary of War; about which time the Department decided to submit the whole subject to be disposed of by Lieutenant-General Grant, who, as I have understood, decided to require from the rebel authorities a distinct acknowledgment of the right of colored troops to be treated as prisoners of war, and if this was not conceded further exchanges were prohibited. I desire to say that I am not positive as to the source of the order just referred to, but have supposed that it proceeded from General Grant; and there the matter has rested for some time past.

I find it necessary to state, as a part of the history of this matter, that our agent, Lieutenant-Colonel Mulford, has informed me that the rebel authorities in Richmond have in no single instance communicated officially with General Butler, acting in accordance with their decision that General Butler was an outlaw under the proclamation of Mr. Davis, all of the apparent intercourse having been indirect through subordinate parties, General Butler having on one occasion acted upon a letter from Mr. Ould to my address, without my knowledge or sanction, thus making me officially answerable for a transaction with which I had nothing to do. But the greater part of the intercourse has been conducted through Lieutenant-Colonel Mulford, who was interposed by General Butler between himself and the rebel authorities because those authorities refused to communicate with him.

As the visit made by Mr. Ould to General Butler at Fort Monroe may seem to be in conflict with this statement, I feel obliged to say, as I am well informed, that that visit was made without official public sanction on the part of the rebel authorities in Richmond. It was undertaken by Mr. Ould in the hope of accomplishing an exchange of prisoners which should give the rebels the possession of all the prisoners we held without conceding our claim to equivalents for General Grant's captures, and without affording any guarantee for the protection of our colored troops, his efforts to this end no doubt having an indirect sanction from those to whom he was officially responsible, who were doubtless willing to see accomplished, by whatever means, a scheme which promised to add greatly to the strength of their army, except that they would not in any manner, even for that purpose, publicly acknowledge General Butler in any other character than that of an outlaw.

I do not wish it to be understood or implied that General Butler's position as an exchange agent has compromised the interests of the country, though he was unable to execute what he proposed when he sought the position of exchange agent; but it is not proper to leave it to be inferred from his recent statement at Lowell that he could have made exchanges without compromising the interests and honor of the

country had he not been interfered with by orders from higher authority.*

I have the honor to be, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Vols., Commissioner for Exchange of Prisoners.

[JANUARY 30, 1865.—For Augur to Halleck, in regard to status of prisoners of war released on taking amnesty oath, and indorsements thereon, see Series I, Vol. XLVI, Part II, p. 308.]

WASHINGTON, *January 30, 1865.*

Brig. Gen. H. E. PAINE, *48 Bleecker Street, New York:*

How soon will the clothing to be bought with the rebel cotton be forwarded to the prison camps by General Beall?

H. W. WESSELLS,
Commissary-General of Prisoners.

HEADQUARTERS FORT WARREN,
Boston Harbor, January 30, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to report that the three following-named naval prisoners of war who were captured on the steamer Florida were this day released upon their signing a parole of honor to leave the United States within ten days after date of release, which are herewith transmitted, viz, T. J. Charlton, surgeon; W. S. Thompson, chief engineer; and James Cotter, cabin boy, in pursuance of instructions received from the Honorable Secretary of the Navy, copy of which was forwarded to the office of the Commissary-General of Prisoners on the 26th instant.

Very respectfully, your obedient servant,

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

HEADQUARTERS MILITARY PRISON, ATHENEUM,
Wheeling, W. Va., January 30, 1865.

Col. JAMES WASHBURN,
Military Commander of Wheeling, W. Va.:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 28, 1865:

Conduct—good. Cleanliness—good. Clothing—middling. Bedding—good. State of quarters—fine. State of mess-houses—good. State of kitchen—good. Food, quality of—good. Food, quantity of—prescribed ration. Water—good. Sinks—good. Police of grounds—good. Drainage—bad. Police of hospital—very good. Attendance of sick—very good. Hospital diet—good. General health of prisoners—good. Vigilance of guard—strict.

Very respectfully, your obedient servant,

EDWIN FREY,
Lieutenant-Colonel, Commanding Prison, and Inspecting Officer.

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* See also Hitchcock to Stanton, February 1, p. 162.

OFFICE PROVOST-MARSHAL OF PRISONERS,
Rock Island Barracks, Ill., January 30, 1865.

Col. A. J. JOHNSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending January 30, 1865:

Conduct—very good. Cleanliness—good. Clothing—good. Bedding—none. State of quarters—very good. State of mess-houses—no mess-houses. State of kitchen—very good. Food, quality of—good. Food, quantity of—as per circular from Commissary-General of Prisoners. Water—good. Sinks—not good. Police of grounds—very good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—very good. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. P. CARAHER,
Lieutenant-Colonel Fourth Regiment Veteran Reserve Corps and Provost-Marshal of Prisoners, Inspecting Officer.

[Indorsement.]

After a personal inspection the within report is concurred in.
Respectfully referred to the Commissary-General of Prisoners.

A. J. JOHNSON,
Colonel Fourth Regiment Veteran Reserve Corps, Comdg. Post.

OFFICE COMMISSARY OF SUBSISTENCE,
Rock Island, Ill., January 30, 1865.

Brig. Gen. A. B. EATON,
Commissary-General of Subsistence, Washington City, D. C.:

SIR: Permit me to ask your attention to General Orders, No. 1, January 13, 1865, from the office of the Commissary-General of Prisoners (just received from your office), and to inquire if the sentence in paragraph 5, following the "———," is to be interpreted as it there reads, or whether its true meaning is not such as it would be if the words "to soldiers" were inserted after the word "issued," and the word "used" stricken out and the words "issued to prisoners" substituted therefor. It would then read:

The difference between the ration allowed to be issued to soldiers and that actually issued to prisoners constitutes the savings from which is formed the prison fund.

I have the honor to be, very respectfully, sir, your obedient servant,

R. C. RUTHERFORD,
Captain and Commissary of Subsistence.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF SUBSISTENCE,
February 6, 1865.

Respectfully referred to Brig. Gen. W. Hoffman, Commissary-General of Prisoners, to give the desired information, and the writer so advised.

A. B. EATON,
Commissary-General of Subsistence.

HEADQUARTERS OFFICE OF EXCHANGE,
New Orleans, January 30, 1865.

Maj. JAMES R. CURELL, *Assistant Agent of Exchange:*

I have the honor to acknowledge the receipt of your communication of the 13th instant, and in compliance with the request therein contained to forward the inclosed permission for three young children of Mrs. John D. Cobb to come within our lines.

I have also the honor to inform you that I am advised of the readiness of our Government to exchange Admiral Buchanan, with his comrades, of which I have also advised Major Szymanski. Nothing remains, therefore, to delay the consummation of our exchange of naval prisoners beyond the time required to bring ours from Texas. As soon as they are received I will deliver yours in Mobile Bay and at the same time will exchange for the officers and men delivered on parole at Baton Rouge by Lieutenant-Colonel Watts on the 31st of December.

I am, major, &c.,

CHAS. C. DWIGHT.

Statement of Private Joseph Howard, Company F, One hundred and tenth Regiment U. S. Colored Infantry.

I was taken prisoner at the surrender of Athens, Ala., September 24, 1864. We were marched to Mobile, Ala., stopping at various places on the route. We were twelve days going to Mobile. After we were captured the rebels robbed us of everything we had that they could use. They searched our pockets, took our clothing, and even cut the buttons off of what little clothing they allowed us to retain. After arriving at Mobile, we were placed at work on the fortifications there, and impressed colored men who were at work when we arrived were released, we taking their places. We were kept at hard labor and inhumanly treated. If we lagged or faltered or misunderstood an order we were whipped and abused, some of our own men being detailed to whip the others. They gave as a reason for such harsh treatment that we knew very well what they wanted us to do, but that we feigned ignorance; that if we were with the Yankees we could do all they wanted, &c. For the slightest causes we were subjected to lash. We were very poorly provided for with food, our rations being corn-meal and mule meat, and occasionally some poor beef.

On the 7th of December I stole a skiff and went down Mobile River to the bay and was taken on board of one of our gun-boats. Was taken to Fort Morgan on the gun-boat and reported to the commanding officer, who, after hearing my story, furnished me a pass and transportation to New Orleans. From there I was sent to Cairo; thence to Louisville, and from there here.

JOSEPH (his x mark) HOWARD.

Sworn to before me this 30th day of January, 1865.

JOHN H. COCHRANE,
Major 101st U. S. Colored Infantry,
Assistant to Commissioner Organizing U. S. Colored Troops.

[First indorsement.]

NATCHEZ, MISS., *February 18, 1865.*

Respectfully referred to the Adjutant-General at Washington, D. C.

L. THOMAS,
Adjutant-General.

[Second indorsement.]

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,
March 8, 1865.

Respectfully referred to Maj. Gen. E. A. Hitchcock, commissioner for the exchange of prisoners, Washington, D. C.

By order of the Secretary of War:

C. W. FOSTER,
Assistant Adjutant-General of Volunteers.

WHEELING, *January 31, 1865.*

Hon. E. M. STANTON:

Will the orders of the Department allow the friends of our soldiers in rebel prisons to send them Confederate money?

A. I. BOREMAN,
Governor.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 31, 1865.

General H. E. PAINE, U. S. Volunteers:

GENERAL: I will thank you to inform me with as little delay as possible how soon the clothing will be ready to forward to rebel prisoners of war. Pressing demands are continually received from some of the prisoners representing the want of clothing by a portion of the prisoners. I am holding them for the present in hopes the cotton will furnish all that is absolutely necessary.

Respectfully, yours,

H. W. WESSELLS,
Commissary-General of Prisoners.

NEW YORK, *January 31, 1865.*

Brig. Gen. H. W. WESSELLS, *Washington, D. C.:*

General Beall will probably be ready to commence the shipment of supplies within two or three days.

H. E. PAINE.

WAR DEPARTMENT, *Washington City, January 31, 1865.*

Maj. Gen. A. E. BURNSIDE:

GENERAL: I inclose a copy of a statement of Charles W. Helm, "major, C. S. Army," and of a certificate of J. T. Boyle, late brigadier-general of volunteers, in regard to charges against Col. Charles S. Hanson, who is to be tried by the rebel authorities, and beg to request that you will affix thereto a certificate exonerating Colonel Hanson.

Very respectfully, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

[Inclosure No. 1.]

Col. Charles S. Hanson, Thirty-seventh Kentucky Regiment, U. S. Army, is now a prisoner, wounded, in the College Hospital, Lynchburg, Va. He was captured at Saltville, Va., about the 1st of October, 1864. Charges have been preferred against him by Lieutenant-Colonel Alston, C. S. Army, for cruelty to Confederate prisoners and violation of parole.

The first charge (cruelty) can only be repelled by evidence rebutting such particular charge, and his Government and friends in the United States, being ignorant of the specifications, cannot assist him.

With regard, however, of the charge of parole violation, Colonel Hanson makes the following statement, and desires General Burbridge, General Boyle, and such other officials as are acquainted with the truth of his allegations to prepare a statement of facts, and send it, if possible, to the Confederate authorities.

The alleged violation of parole occurred at Lebanon, Ky., in the summer of 1863. Colonel H. was captured, with his regiment, at that place and paroled by General John H. Morgan. He states that he was immediately ordered to report for duty as provost-marshal at Louisville; that he objected on account of the parole he had given; that his objection was overruled and his protest disregarded; that he was finally compelled to obey the orders of his Government or submit to court-martial and arrest. General Hartsuff is acquainted with the facts recited and his statement is requested.

Colonel H. says that General Burnside told him he had made some special arrangement in his case, and ridiculed the idea of his parole being binding upon him. He further states that General Boyle told him that the Confederate Government pursued the same course toward the prisoners captured and paroled by them that the United States Government proposed to adopt toward him (Colonel Hanson), and that upon that representation he waived his objections and reported for duty.

Any facts tending to show that Colonel Hanson objected strenuously to the disregarding of his parole and that he was compelled finally to that course will have a favorable effect if embodied in a statement indorsed by such Federal officers as were Colonel H.'s superior officers, and cognizant of the circumstances as they occurred.

Colonel H. thinks Generals Burbridge, Boyle, Hartsuff, and Burnside might each make statements which, if sent to the Confederate Government through the proper channels, would greatly benefit him.

Will Mr. Prentice endeavor to secure the preparation and transmission of these statements of the Federal generals to the Confederate Secretary of War and do what he can to assist Colonel H. in securing the representations of his friends, as the Confederate States Government has now only the evidence of his enemies before it?

CHARLES W. HELM,
Major, C. S. Army.

[Inclosure No. 2.]

LOUISVILLE, KY., *January 24, 1865.*

I certify on honor that during the summer of 1863 at the time Lieut. Col. Charles S. Hanson, commanding Twentieth Kentucky Volunteer Infantry, U. S. Army, was captured with his regiment at Lebanon, Ky., and paroled by General John H. Morgan, C. S. Army, I was in command of the District of Kentucky, in which Lebanon is situated; that Lieutenant-Colonel Hanson was under my command; that a few days after his capture Lieutenant-Colonel Hanson was ordered on active duty by Major-General Burnside, commanding Department of the Ohio, which included the District of Kentucky; that Lieutenant Colonel Hanson protested against this order as affecting both himself and his regiment; that he was ordered by Major-General Burnside to Camp Nelson, Ky., where he went without arms; that on my application he was ordered with his regiment from Camp Nelson to this city, where he was returned on garrison duty notwithstanding his protest; that

after he was notified of his exchange he accepted the colonelcy of the Thirty-seventh Kentucky Volunteer Infantry and went into the field in command of his regiment.

While under my command Colonel Hanson was not in position where he had any charge of prisoners of war, and whenever he has been brought in contact with them I believe he has exhibited more than ordinary humanity and consideration, and the above I believe to be the true facts in the case.

J. T. BOYLE,
Formerly Brigadier-General of Volunteers, U. S. Army.

WASHINGTON, *January 31, 1865.*

Maj. Gen. E. R. S. CANBY, *New Orleans:*

The Secretary of War approves the suggestion contained in your letter of the 17th instant on the subject of exchanges.

E. A. HITCHCOCK,
Major-General and Commissioner of Exchange.

[JANUARY 31, 1865.—For Special Orders, No. 49, War Department, Adjutant-General's Office, relieving Brig. Gen. H. W. Wessells, U. S. Volunteers, from duty as Commissary-General of Prisoners, see Series I, Vol. XLVI, Part II, p. 314.]

MILITARY PRISON, *Louisville, January 31, 1865.*

Colonel HOFFMAN:

SIR: We have the honor to respectfully state that, having been left on the retreat of the Confederate army from Tennessee, at Franklin, to take care of the wounded who absolutely required our assistance, with the firm expectation of not being held as prisoners of war, supposing both Governments were acting in conformity with the cartel, viz, to consider surgeons as non-combatants, but find with unspeakable regret, for the sake of humanity and particularly for the welfare of the brave and gallant soldiers composing both armies in the future, that we are now none the less prisoners of war than those who shoulder muskets and wield the sword. We do therefore most respectfully and sincerely ask, since it is our duty and desire to heal rather than inflict wounds, that we be immediately forwarded to Confederate lines for delivery, or if it suit not the convenience of your Government at this time to remove us, beg that we may be granted a parole of honor until such time may arrive.

Very respectfully, your obedient servants,

OSCAR C. BROTHERS,
Surgeon, C. S. Army.
J. H. TRIPPE,
Surgeon, Provisional Army, C. S.
P. F. FITZGERALD,
Assistant Surgeon, Provisional Army, C. S.
B. TEMPLE,
Assistant Surgeon, Provisional Army, C. S.
G. W. TRIBBLE,
Assistant Surgeon, Provisional Army, C. S.

HEADQUARTERS FORT COLUMBUS,
New York Harbor, January 31, 1865.

Col. J. V. BOMFORD, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending 31st of January, 1865:

Conduct—good. Cleanliness—good. Clothing—tolerable. Bedding—scanty. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—good. Food, quantity of—according to existing regulations. Water—good. Sinks—good. Police of grounds—good. Drainage—none required. Police of hospital—good. Attendance of sick—good. Hospital diet—as required; same as other patients in hospital. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. L. TALLMAN,
Second Lieutenant, Twentieth Battery, Inspecting Officer.

HEADQUARTERS DISTRICT OF NORTHERN ALABAMA,
Decatur, January 31, 1865.

Brig. Gen. P. D. RODDEY,
Comdg. Confederate Forces, District of Northern Alabama:

GENERAL: I have the honor to inform you that the proposition for exchange has been accepted by the provost-marshal-general, as will be seen by the accompanying telegram. Will you please give the information asked for in the telegram at your earliest convenience; also the number of prisoners that you have for exchange, and when you will be prepared to make the transfer?

Very respectfully, your obedient servant,

R. S. GRANGER,
Brigadier-General, Commanding.

[Inclosure.]

Brigadier-General GRANGER:

You will report to Brig. Gen. H. W. Wessells, Provost-Marshal-General [Commissary-General of Prisoners] U. S. Armies, Washington, D. C., the organization forming Roddey's command, if you know them, so that he can send you the prisoners belonging to his command to exchange for those of ours that Roddey now holds.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

HEADQUARTERS U. S. FORCES,
Morganza, La., January 31, 1865.

Col. C. C. DWIGHT,
Agent of Exchange, Hdqrs. Mil. Div. of W. Miss., New Orleans, La.:

COLONEL: I have the honor to report that I succeeded to-day, through Colonel Chrysler, Second New York Veteran Cavalry, in delivering your dispatch for Major Szymanski, agent of exchange, C. S. Army, to Captain Ratliff, a Confederate officer, and taking receipt for the same.

I have the honor to be, very respectfully, your obedient servant,

DANIEL ULLMANN,
Brigadier-General, Commanding.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT OF EXCHANGE,
New Orleans, January 31, 1865.

Maj. JAMES R. CURELL,
Assistant Agent of Exchange, Mobile, Ala.:

MAJOR: I have the honor to acknowledge the receipt of your communication of the 20th instant making inquiries in regard to Messrs. James Campbell, A. J. Ruguley, and E. Montgomery, denominated private citizens, lately captured by our forces and held as prisoners. The name of James Campbell does not appear on the books of the commissary of prisoners of this military division, nor has that officer any knowledge of the man. An inquiry addressed to the commanding officer of the naval forces by which he was captured may elicit the desired information. Mr. A. J. Ruguley was captured on the Mississippi River some months since. He is described in an official communication of Maj. Ig. Szymanski, agent of exchange for the Trans-Mississippi Department, C. S. Army, as belonging to the Iron, Niter and Mining Bureau of the Confederate States. He is held as a prisoner of war.

Mr. E. Montgomery is also held as a prisoner of war. He is described in an official communication of Lieut. Col. N. G. Watts, your agent of exchange, as a captain in the C. S. Navy, and he also adds that designation to his own signature to a paper lately transmitted from the military prison in which he is confined.

The prisoners of the garrison of Fort Gaines who were retained on account of sickness at the time of the exchange of their comrades will be delivered with the naval prisoners, which I now hope may be very soon.

I had the honor to write you yesterday inclosing a permission for the children of Mrs. Cobb to come within our lines, also informing you that Admiral Buchanan's exchange is conceded.

I am, major, very respectfully,

CHAS. C. DWIGHT,
Colonel, &c.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 31, 1865.

General BRADLEY T. JOHNSON, *Salisbury, N. C.:*

I have information, probably correct, that within the next ten or twenty days desperate efforts at escape will be made by the prisoners at Salisbury. They may probably be aided by attempted raids. Be on your guard.

J. A. SEDDON,
Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., January 31, 1865.

General BRADLEY T. JOHNSON, *Salisbury, N. C.:*

I have later information that a raid is about to be made by Stoneman from East Tennessee to release the prisoners at Salisbury. Take and confer with your superior officers as to proper precautions.

J. A. SEDDON,
Secretary of War.

HDQRS. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 31, 1865.

General S. COOPER, *Adjutant and Inspector General:*

GENERAL: I have to acknowledge the receipt of your telegram directing the release of all Federal prisoners held in close confinement or in irons, which has been carried into effect.

There is in Richland Jail, at this place, a prisoner styled Colonel Ackworth, a citizen of Georgia, of conscript age, who had been exempt as a practicing physician, and who, after Sherman passed his residence, raised a regiment for the enemy's service. There is also another prisoner, Capt. Shad. Harris, whose case is fully explained in the accompanying papers. I respectfully ask instructions as to the course to be adopted in these two cases.

I am, general, very respectfully, your obedient servant,
JNO. H. WINDER,
Brigadier-General.

[First indorsement.]

FEBRUARY 6, 1865.

Respectfully submitted to the Secretary of War.

Nothing is known in this office of the case of Colonel Ackworth. The statement in reference to Captain Harris is substantially correct. The record of the court-martial proceedings in his case is on file in the Judge-Advocate's office.

H. L. CLAY,
Assistant Adjutant-General.

[Second indorsement.]

FEBRUARY 11, 1865.

ADJUTANT-GENERAL:

Let them be held as prisoners.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

[Third indorsement.]

FEBRUARY 14, 1865.

Respectfully referred to Brigadier-General Gardner.

Please see indorsement of the Secretary of War.

By command of Secretary of War:

H. L. CLAY,
Assistant Adjutant-General.

HDQRS. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 31, 1865.

Captain WITHERSPOON,
Assistant Commissary of Subsistence, Columbia, S. C.:

CAPTAIN: The brigadier-general commanding desires me to say to you that under the instructions from the commanding general, sent through Major Guerin, either meat or sirup is to be issued to the prisoners of war. The brigadier general commanding is informed that neither is issued, and directs me to call on you for an explanation of the reasons for the failure to issue.

I am, captain, very respectfully, your obedient servant,
WM. G. BARTH,
Assistant Adjutant-General.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., January 31, 1865.

Captain SENN:

I am instructed by General Winder to request that you grant permission to Captain McChesney, a prisoner of war now in your custody, to visit Mrs. Feaster at her residence near the market. The general has reliable information that this officer has on various occasions been very kind to our people. You will put him on his honor not to say or do anything against this country, and to return at such hours as you may designate (say 10 o'clock).

Mrs. Feaster wishes him to come this evening.

Respectfully, your obedient servant,

W. S. WINDER,
Assistant Adjutant-General.

HEADQUARTERS FLORENCE MILITARY PRISON,
Near Florence, S. C., January 31, 1865.

Capt. W. S. WINDER, *Assistant Adjutant-General:*

CAPTAIN: I have the honor to state that the ration now being issued to the prisoners at this prison is totally insufficient for their sustenance, as large numbers are dying daily, and I am satisfied it is from not being properly fed. The post commissary informs me that he is not furnished with sufficient stores to warrant him in increasing the ration. The following are the instructions from the Commissary-General, dated Richmond, October 3, 1864: "Present scarcity of meat requires that prisoners be wholly subsisted on sorghum when practicable, and not on meat and sorghum, as provided in circular 1st October." I cannot construe this as entirely cutting the prisoners off from meat rations, especially when sorghum cannot be had, which has been the case at this post for some time past. I am informed that the prisoners at Andersonville, Ga., are receiving one-half pound of beef every day, besides their regular bread rations, which sustains me in my construction of the circular quoted above. Taking into consideration that these prisoners are not able to get anything but what is issued to them by the Government, for it is almost impossible for the sutler to procure supplies, coupled with the fact that they are very destitute of clothing, I feel it my duty to call the attention of the brigadier-general commanding to these facts, and I respectfully request that if it is out of his power to remedy the evil that this communication be forwarded to the War Department for the action of the Secretary of War. If the Government is really not able to give these prisoners more to eat then no blame can be attached to any one; but if they are then I must think that the fault lies at the door of the Subsistence Department.

I have the honor to state that the present ration is as follows: One pound of meal, one-half pound of peas, three pounds salt per 100 rations per day.

If a change in the ration can be made I will have the satisfaction of knowing that the prisoners under my charge are well housed, plenty of fuel, good hospital accommodations, and in as good a condition as they could reasonably expect.

I am, very respectfully, your obedient servant,

JNO. F. IVERSON,
Lieutenant-Colonel, Commanding Prison.

[First indorsement.]

COLUMBIA, S. C., *February 4, 1865.*

Respectfully referred to the Adjutant-General and most earnestly request that a remedy be immediately applied. The prisoners never will be properly fed until commissaries are ordered for prison duty. I never have been able to get anything from staff officers not on duty with the prisons. I hope that assistant commissaries will be ordered to report to me for duty, and that they be not, as heretofore, young men with no experience; the duty requires experience.

JNO. H. WINDER,
Brigadier-General.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 8, 1865.

Respectfully referred to the Commissary-General.

By order of the Secretary of War:

H. L. CLAY,
Assistant Adjutant-General.

[Third indorsement.]

FEBRUARY 11, 1865.

Respectfully returned to Adjutant and Inspector General.

The following is a copy of an indorsement placed on a similar paper on December 16, 1864:

The state of the commissariat will not allow the issue of a full ration to our own troops in the field, much less to prisoners of war. It is just that the men who caused the scarcity shall be the first to suffer from it. No need is seen for an additional officer at Florence, S. C. Present appearances indicate the prospective necessity of a still greater reduction of the ration.

L. B. NORTHROP,
Commissary-General of Subsistence.

[Fourth indorsement.]

File. The prisoners have been ordered from Florence, and besides, the speedy exchange of all in our possession has been announced by authority of the Secretary of War.

H. L. C.,
Assistant Adjutant-General.

Abstract from report of sick and wounded, C. S. military prison, Andersonville, Ga., for month of January, 1865.

Remaining last report:		
Sick		742
Wounded		71
Total		813
Taken sick or wounded during the month		589
Aggregate		1,402
Returned to duty	267	
Died	199	
Total		466
Remaining: Sick, 869; wounded, 67; total		936
Mean strength, enlisted men		5,000
Average number on sick report daily in hospital		890⅕

WASHINGTON, D. C., *February 1, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: Since my letter of the 30th ultimo in reference to the exchange of prisoners my attention has been called to a statement in General Butler's address to the people of Lowell which was not contained in the report of that address as seen by me. General Butler is reported as having stated that—

> In August last Mr. Ould, finding negotiations were broken off and that no exchanges were made, wrote to General Hitchcock, the commissioner at Washington, that the rebels were ready to exchange man for man all the prisoners held by them as I had proposed in December.

I desire to say that no such letter as General Butler describes is on my files and that I have no recollection of having seen such a letter, and that if I had received such a letter I should have sent it to General Butler himself for his own action, for the reason that he had been designated with the authority of the Secretary of War as the agent of exchange at Fort Monroe, to whom Mr. Ould should have addressed his communications. This would have been my proper course as being due to General Butler according to the position he held under the orders of the Government.

I regret that General Butler did not state how he obtained his knowledge of the letter in question instead of leaving it to be inferred that the letter not only reached me, but that its not having been acted upon was owing to some decision of mine, when General Butler knows that he had not only assumed the entire control of the business of exchange, but protested against the action of the officers in that duty, under which protest Generals Foster, at Hilton Head, and Canby, at New Orleans, were directed to have nothing to do with that subject. General Butler carrying this point so far finally as to order Lieutenant-Colonel Mulford not to receive any communication from Mr. Ould unless addressed to him, General Butler, and still further to guard against my receiving information from Mr. Ould, he directed Lieutenant-Colonel Mulford to make no reports to me, with a view as I suppose of compelling a recognition of his official character and position by the rebel authorities.

I have the honor to be, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Vols., Commissioner for Exchange of Prisoners.

P. S.—I request that this letter may be added to that of the 30th ultimo referred to above.

E. A. H.

SPECIAL ORDERS, No. 51. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, February 1, 1865.*

* * * * * * *

61. Bvt. Brig. Gen. William Hoffman, U. S. Army, Commissary-General and Inspector of Prisoners of War, will relieve Brig. Gen. H. W. Wessells, U. S. Volunteers, in charge of the office of Commissary-General of Prisoners, in the city of Washington.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, February 1, 1865.*

Governor BOREMAN, *Wheeling, W. Va.:*

No objection is made by this Department to the friends of our prisoners sending them Confederate paper or anything else. Whatever is sent to the exchange agent is transmitted to the prisoner to whom it is addressed.

EDWIN M. STANTON.

HEADQUARTERS FORT WARREN,
Boston Harbor, February 1, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to inclose herewith copy of letter* received from the Honorable Secretary of the Navy authorizing the release of the officers and seamen of the steamer Florida upon the express condition that they leave the United States within ten days after being liberated. In pursuance thereof the remainder of the officers and seamen of said steamer was this day released, the roll of which is herewith transmitted.

Very respectfully, your obedient servant,

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

HEADQUARTERS DISTRICT OF SAVANNAH,
Savannah, Ga., February 1, 1865.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the South:

My medical director yesterday inspected the condition of the rebel prisoners confined at Fort Pulaski, and represents that they are in a condition of great suffering and exhaustion for the want of sufficient food and clothing; also that they have the scurvy to a considerable extent. He recommends, as a necessary sanitary measure, that they be at once put on full prison rations, and also that they be allowed to receive necessary articles of clothing from their friends. I would respectfully indorse the surgeon's recommendations and ask authority to take such steps as may be necessary to relieve actual sickness and suffering.

C. GROVER,
Brevet Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Eastport, February 1, 1865.

General J. B. HOOD, C. S. Army,
Commanding Confederate Forces:

GENERAL: On the evening of the 1st of November, 1864, while the U. S. forces under the command of Major-General Howard, known as the Army and Department of the Tennessee, were near Powder Springs, Ga., three enlisted men belonging to that command were captured by a band of guerrillas commanded by a captain, and two of them brutally

* See Welles to Allen, January 17, p. 83.

murdered in cold blood by those guerrillas, and the other one shot at twice and was wounded each time, but succeeded in making his escape, and has made sworn statements as to the manner of death of his comrades, with the additional statement that the rebel captain informed him that he would kill all Federal prisoners captured by his command. The names of the men who were captured are as follows: Corpl. Charles E. Ellis, Privates George Ford and Joseph Phillips. The corporal was killed instantly; the other two were taken ten miles in the country and then were shot at by a party of these guerrillas. At the first volley Private Ford was murdered, and while Phillips was wounded another volley was fired which again wounded Private Phillips, who then ran and jumped down a bank into a stream of water, where he concealed himself until the guerrillas left and then came into our lines. This statement is forwarded by Brigadier-General Woods, commanding a division in Major-General Howard's army, with the recommendation that Private Milton Dotson, of Ferguson's command (Perrin's regiment), be either shot or hung in retaliation for one of the murdered Union soldiers, which recommendation met the approval of Major-General Howard in these words:

Private Dotson has been sent as a prisoner of war to Chattanooga. I would respectfully recommend that he be shot in retaliation for the cold-blooded murder of Private George Ford, Company G, Sixth Iowa Cavalry, herein described, and that action be published so as to come to the notice of parties interested.

I have the honor to inform you that the prisoner Dotson is now under guard at Louisville, Ky. The papers in this case have been returned to General Howard with the information that the prisoner is held subject to his disposal, and will be sent to him on his application.

[Indorsement.]

This letter was originally intended for General Hood, but as there was at the date of this letter no other business requiring a flag of truce to be sent up, it has been retained until the present time, and is now sent (February 18, 1865, the letter being entered according to date) to Major-General Forrest, as the successor in command to General Hood. This by direction of Major-General Thomas.

WM. D. WHIPPLE,
Brigadier-General and Chief of Staff.

HDQRS. DEPARTMENT OF THE CUMBERLAND,
INSPECTOR-GENERAL'S OFFICE,
Chattanooga, February 1, 1865.

Lieut. Col. A. VON SCHRADER,
Assistant Inspector-General, Department of the Cumberland:

COLONEL: In obedience to your order I make the following report of an inspection of the prisons of this post:

The military prison (Department of the Cumberland) under charge of Captain Wiggins, Ninth Michigan, is in very good condition, and improvements have been made lately that will make it quite comfortable, at least more so than it has been during the past winter. Everything is kept clean, and the regulations, both sanitary and for discipline, are good.

The prison (District of the Etowah) under charge of Captain Wassem, Thirty-second Indiana, is quite dirty and therefore very uncomfortable. Captain Wassem accounts for this by saying that it has been impossible

to get brooms and such other things as are necessary to keep it clean. He says he has made repeated applications for these things, but the persons to whom he has applied have failed to furnish them. Captain Brayton, Fifteenth U. S. Infantry, who has lately assumed the duties of provost-marshal, District of the Etowah, assures me, however, that the prison shall have a complete and thorough renovation.

The post prison, under charge of Lieutenant Scovill, —— Regiment, is a miserable place, barely affording shelter from the rain, much less protection from cold. It is a mere shell, open at both ends and very dirty. If possible some other place should be prepared as post prison, or this repaired or put in such condition that those confined can at least be protected from the inclemency of the weather.

There are generally three classes of prisoners confined in these prisons: First, Federal soldiers; second, Government employés and citizens; third, prisoners of war. Federal prisoners receive full rations, while all others receive half, except when at work, when they receive something additional. It seems, however, that even half rations are sufficient, except in cold weather, when it is said that all seem to want more than they get. In warm weather they don't eat all of half rations. The only complaint that is made by the prisoners is that they don't get enough wood; that they suffer very frequently from cold. The keepers of prisons tell me that it is sometimes impossible to get even all they are entitled to for lack of transportation. There seems to be no lack of wood, but a want of the means to get it to the prisons. At the post prison, where they are entitled to thirty cords per month, they got but fourteen for the month of January. Something should be done by which wood enough can be furnished. In all prisons where wood is not sufficient suffering is always very great.

Sometimes men, from the peculiarity of their cases, are confined for months before they can be disposed of. During this time, no matter what the enormity of their crime, I don't think it right that they be compelled to undergo suffering, sometimes far greater than the punishment for their crimes would be. Every crime has its punishment and that punishment is sufficient. I think, therefore, that everything should be done to keep these persons from suffering until they are disposed of by court-martial or otherwise.

In your instructions you directed me to give the names of all prisoners confined and their offenses, whether charges had been preferred against them, and whether acted upon or not. I refrain [from] giving these names for the reason that upon investigation, questioning of prisoners, examination of prison records, &c., I feel that none are unjustly confined, and it would, therefore, make a very long and useless report. Men sometimes lie in prison for months owing to some informality in charges, &c., but can not be released because they are really guilty of the crime for which they are confined; others for want of evidence, owing to the difficulty in getting it. To this class belong the "bounty jumpers," and lately some have been confined upon mere statements, but subsequently released and steps taken to prevent the continuance of the practice. There are many causes that delay the prosecution of these persons and prolong their confinement that cannot be remedied. Upon full investigation I find that none are confined unjustly. If you still desire, however, that I furnish the list of names, &c., I will do so, as I have the records in my possession.

I have the honor to be, colonel, very respectfully, your obedient servant,

ED. KNOBLE,

Lieut. and Acty. Asst. Insp. Gen., Dept. of the Cumberland.

RICHMOND, *February 1, 1865.*

Lieutenant-General GRANT:

GENERAL: We had the honor to forward to you on the 14th of January, by flag-of-truce boat, an application for permission to proceed to the United States for the purpose of supplying the wants of prisoners from the State of Alabama. The closing of that mode of communication by the ice in the river has induced our Government to grant us permission to communicate with you by another channel. We inclose a copy (substantially) of our former letter, and as it is a matter of the highest interest to the Government and people of our State, most respectfully ask that we may be permitted to confer with you in person in regard to it. If such an interview should be deemed by you inconsistent with the interests of your Government or inconvenient to yourself, we would be pleased to receive your decision on our application of the 14th ultimo.

We have the honor to be, most respectfully, your obedient servants,

M. LEHMAN,
I. T. TICHENOR,
Agents of the State of Alabama.

[Inclosure.]

RICHMOND, *January, 1865.*

General GRANT, *Commanding U. S. Army:*

SIR: We have the honor to announce to you that the Legislature of the State of Alabama has appropriated $500,000 for the relief of the prisoners from that State held by the United States. The undersigned having been appointed by the Governor to carry out the object of this appropriation, most respectfully ask through you permission to proceed to the United States for this purpose. Having obtained permission from the Confederate Government to carry out cotton to the amount of this appropriation, we are instructed by the Governor of Alabama to ask permission to ship this cotton through the blockade for the purpose of supplying the prisoners from that State with blankets, clothing, and such other things as may be necessary for their comfort. We beg leave to suggest Mobile Bay as the point from which this cotton may be shipped. We would further state that it would be agreeable to the Governor of Alabama if a vessel belonging to the United States, or citizens thereof, should be permitted to carry this cotton from Mobile Bay to the port of New York; to be sold there for the purpose already indicated. We deem it proper to say that our mission is confined strictly to the object stated in this communication; it embraces nothing of a military or political nature. If permitted to carry out the object of our mission we will cheerfully submit to such rules, regulations, and paroles as are usual in such cases. We well know that a gallant soldier must feel for the condition of those brave men who by the fortunes of war are held as prisoners; exposed to the rigors of a climate to which they are not accustomed, the severities of which are augmented by the privations necessarily attendant upon their condition. We make this request with confidence, assured that your sympathies for the unfortunate brave will lead you to do all in your power to promote the benevolent design intrusted to us by the State of Alabama.

We have the honor to remain, very respectfully, your obedient servants,

M. LEHMAN.
I. T. TICHENOR.

RICHMOND, VA., *February 1, 1865.*

ADJUTANT-GENERAL ARMIES OF THE UNITED STATES:

SIR: I have the honor to report my arrival in this city from Danville on Thursday, the 26th ultimo. Upon the following day I received official information from Mr. Ould, agent of exchange, of my appointment as agent to receive and distribute supplies for Union prisoners. Yesterday the supplies, consisting of 650 private packages and 50 bales of blankets, were transferred to me. I have been paroled to attend to this business, together with Lieut. L. Markbreit, Twenty-eighth Ohio Volunteers, who will assist me. A suitable warehouse has been provided for storing the supplies, and I am assured by Mr. Ould that every facility for their transportation will be provided. I have this day issued 250 blankets to the Federal prisoners in this city, and shall in a day or two, as soon as transportation can be obtained, send the balance to the prisoners at Danville and Salisbury, who are in more pressing need. I have nominated three officers at each of those prisons to receive and distribute these supplies. A traveling agent will accompany them upon the road to insure their safe delivery. In addition to the blankets I think there are needed at least 2,000 complete suits of clothing (exclusive of overcoats, which are unnecessary) to clothe our men that are absolutely naked, or nearly so. I would recommend that they be sent. I find myself in need of funds to defray the public expenses incident to my present position, and therefore would request that $10,000 in Confederate funds be sent me by next flag of truce.

I am, very respectfully, your obedient servant,

JOSEPH HAYES,
Brigadier-General, U. S. Volunteers.

[Indorsement.]

CITY POINT, VA., *February 6, 1865.*

Respectfully forwarded to the Secretary of War for his information. No action is required on any of the requisitions, as they can all be attended to from here, and in the greater part have already been filled.

U. S. GRANT,
Lieutenant-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, February 1, 1865.

Hon. J. A. SEDDON, *Secretary of War:*

DEAR SIR: I beg leave to call your attention to the condition of the Federal prisoners of war at Salisbury, N. C. Accounts reach me of the most distressing character in regard to their suffering and destitution. I earnestly request you to have the matter inquired into, and if in our power to relieve them that it be done. If they are willfully left to suffer when we can avoid it, it would be not only a blot upon our humanity, but would lay us open to a severe retaliation. I know how straitened our means are, however, and will cast no blame upon any one without further information.

Very respectfully, your obedient servant,

Z. B. VANCE.

[First indorsement.]

FEBRUARY 7, 1865.

ASSISTANT SECRETARY:

I think the subject of this letter deserves immediate attention, and that an officer should be sent at once to investigate the condition of

the prisoners and make report. If you agree with me in this opinion, direct the Adjutant-General to send a suitable officer without delay.

JOHN C. BRECKINRIDGE,
Secretary of War.

[Second indorsement.]

FEBRUARY 7, 1865.

ADJUTANT-GENERAL:

Cause an inspection to be made of the prison at Salisbury, and have such directions given to the inspection officer as will enable him to correct the evils complained of.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

[Third indorsement.]

COLONEL: I'd like you to attend to this matter.

R. H. C[HILTON].

COLUMBIA, *February 1, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

I cannot [get] along with present arrangement of Subsistence Department. Must have an assistant commissary for the prisoners here. Please send one.

JNO. H. WINDER,
Brigadier-General.

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, February 1, 1865.

General BRADLEY T. JOHNSON, *Salisbury, N. C.:*

Most distressing accounts reach me of the suffering and destitution of the Yankee prisoners under your charge. If the half be true, it is disgraceful to our humanity and will provoke severe retaliation. I hope, however, it is not so bad as represented; but lest it be so, I hereby tender you any aid in my power to afford to make their condition more tolerable. I know the great scarcity of food which prevails, but shelter and warmth can certainly be provided, and I can spare you some clothing if the Yankees will deliver as much to North Carolina troops in Northern prisons. Please let me hear from you.

Respectfully, yours,

Z. B. VANCE.

MILITARY PRISON, *Meridian, Miss.*, [*February 1, 1865*].

Capt. J. H. TREZEVANT, *Commanding Post of Meridian, Miss.:*

CAPTAIN: We, the undersigned, on behalf of the Federal officers confined at this post, beg leave to submit the following statement in regard to our present situation: We are at present confined in a stockade with a lot of Confederate prisoners who are there for most every offense, and many of them are bad characters, disposed to steal everything they can lay hands on. Our quarters are heated by a fire built in the center which fills the apartment with smoke. The grounds surrounding them

are very filthy, the whole having been used as a common sink. We would respectfully ask that we may be granted a parole and be assigned to certain limits outside of the stockade. We have at times been allowed the privilege of a parole, which privilege we have in no respect violated. For the truth of which we would refer to the annexed statement of Capt. W. R. C. Lyons, commanding Twenty-fifth Louisiana Volunteers.

JOHN T. HESSER,
Captain, Sixty-first Illinois Infantry, Prisoner of War.
DAVID D. NEGLEY,
Captain Company C, 124th Indiana Volunteers.

I certify that the above officers have been under my charge since leaving Columbia, Tenn. That they have been allowed many liberties and have had frequent opportunities to escape, but have so far always preserved their promise inviolate.

W. R. C. LYONS,
Captain, Commanding Twenty-fifth Louisiana Infantry.

[First indorsement.]

HEADQUARTERS MILITARY POST,
Meridian, Miss., February 1, 1865.

Respectfully forwarded, with the request that the parole of the officers, sixteen in number, be accepted, and that they be given the privilege of certain limits within the post. Requisition has been made upon Captain Pennington, post quartermaster, for such articles as are absolutely required for policing the prison grounds, and he is unable to fill it at this time.

In absence of Capt. J. H. Trezevant:

JNO. M. MOREY,
Post Adjutant.

[Second indorsement.]

HDQRS. DIST. OF MIDDLE AND EAST MISSISSIPPI,
Meridian, February 1, 1865.

Respectfully forwarded for, and in absence of, Col. W. R. Miles.

J. M. KERNEY,
Lieutenant and Assistant Adjutant-General.

[Third indorsement.]

HDQRS. DEPARTMENT OF ALA., MISS., AND EAST LA.,
Meridian, February 3, 1865.

Cannot such dispositions be made as will place these officers in confinement with prisoners from the Federal Army alone?

E. SURGET,
Assistant Adjutant-General.

[Fourth indorsement.]

HEADQUARTERS MILITARY POST,
Meridian, Miss., February 3, 1865.

Respectfully forwarded.

The provisions of the cartel, if I mistake not, require that the officers be confined apart from the men, if possible. We have now about 700

Federals in the stockade and our guards are light. The sanitary condition of the Federal stockade is even worse than that of the Confederate. The officers propose to erect their own quarters in such place as may be allotted them, if none can be had on the ground.

In absence of Capt. J. H. Trezevant:

JNO. M. MOREY,
Post Adjutant.

CITY POINT, VA., *February 2, 1865—11.30 a. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

I am endeavoring to make arrangements to exchange about 3,000 prisoners per week. This is as fast and probably faster than they can be delivered to us. Please have facilities given Lieutenant-Colonel Mulford to get rebel prisoners to comply with this arrangement. I would like disabled troops (troops from Missouri, Kentucky, Arkansas, Tennessee, and Louisiana) sent first, as but few of these will be got in the ranks again, and as we can count upon but little re-enforcement from the prisoners we get.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS FORT WARREN,
Boston Harbor, February 2, 1865.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.:

SIR: In pursuance of instructions received from the Navy Department the officers and seamen of the insurgent steamer Florida were released yesterday, the 1st instant, upon their complying with the express conditions, and embarked on the steamer Canada for Europe.

Very respectfully, your obedient servant,

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

CITY POINT, VA., *February 2, 1865.*

Lieutenant-Colonel MULFORD, *Steamer New York:*

Inform Colonel Hatch, who is now on his way to see you, that all Confederate prisoners confined in cells or in irons have been ordered to Fort Monroe, subject to your orders, for the purpose of carrying out the proposition made by Colonel Ould. Ask that a corresponding order may be made for Federal prisoners, and that they be brought to Richmond, so that the exchange may be speedily made. You may also make arrangements for exchanging 3,000 prisoners per week, or as many as can be delivered on each side. I think 3,000 probably is as many as can be delivered weekly, until arrangements better than now exist can be made for transporting them. Let your arrangements look to an exchange man for man until the party having the fewest prisoners is exhausted of all on hand.

U. S. GRANT,
Lieutenant-General.

JONES' LANDING, *February 2, 1865.*

Lieutenant-General GRANT:

Your dispatch received. I have already forwarded Mr. Ould a letter on the subject of hostages, of which I send you a copy.* The other matter I will arrange immediately and report to you the result.

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

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37 BLEECKER STREET, *New York, February 2, 1865.*

General H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to request that you will send me a statement of the number of rebel prisoners now confined in the several prisons under your charge to enable General Beall to distribute his supplies judiciously.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HDQRS. FORTY-FOURTH U. S. COLORED INFANTRY,
Chattanooga, Tenn., February 2, 1865.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to report the following: On the 20th of December, 1864, Capt. Charles G. Penfield, commanding Company E, Forty-fourth U. S. Colored Infantry; Lieutenant Fitch, Twelfth U. S. Colored Infantry, and Lieutenant Cooke, Seventeenth [Twelfth] U. S. Colored Infantry, were captured in the vicinity of Triune, Tenn., by a company of independent scouts of Forrest's command under Captain Harvey. The three officers were marched along guarded by four cavalrymen of this command until the evening of the 22d, when, without previous warning, the men who were guarding them at the time deliberately murdered Captain Penfield and Lieutenant Cooke and badly wounded Lieutenant Fitch, whom they left for dead and who afterward escaped and made the above statement. This cold-blooded murder was perpetrated in the vicinity of Columbia, Tenn. I very respectfully request that, in justice to the officers of colored regiments, some measures of retaliation be adopted for this terrible outrage, which, to judge from Captain Penfield's character as a man and soldier, I am sure of it, on his part, was not provoked. He was left sick and tired after the battle of Nashville, in which he behaved with gallantry, at the small village of Triune, and was captured while endeavoring to catch up with his command.

I am, general, respectfully, your obedient servant,

L. JOHNSON,
Colonel, Commanding.

[First indorsement.]

HEADQUARTERS DISTRICT OF THE ETOWAH,
Chattanooga, February 4, 1865.

Respectfully forwarded.

JAMES B. STEEDMAN,
Major-General, Commanding.

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*See January 27, p. 136.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, February 14, 1865.

Respectfully forwarded to the Adjutant-General of the Army for information and action of War Department, with copy of letter to General Hood from the general commanding inclosed.*

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

AUGUSTA, *February 2, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

Prisoners of war at Florence should be sent at once to Southwest Georgia, or in its vicinity, where they may be fed.

G. T. BEAUREGARD,
General.

[First indorsement.]

Respectfully submitted to the Honorable Secretary of War.

JOHN W. RIELY,
Major and Assistant Adjutant-General.

[Second indorsement.]

FEBRUARY 3, 1865.

ADJUTANT-GENERAL:

Advise General Winder as to this opinion and submit it to his judgment, informing him that the Department inclines to adopt the view.

J. A. S.

[Third indorsement.]

FEBRUARY 4, 1865.

See telegram to Brigadier-General Winder.†

RIELY.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., February 2, 1865.

Capt. H. A. M. HENDERSON, *Cahaba, Ala.:*

CAPTAIN: Your letter of January 13 has been received, and I am directed by the general commanding to inform you that the Federal money in your hands you will hold subject to the order of the Quartermaster-General or his authorized agent. I shall notify Capt. C. Morfit, assistant quartermaster at Richmond, that you have that amount. He has charge of all these moneys. The Government pay five for one, that ratio having been fixed by the Quartermaster-General. When the quartermaster pays for the greenbacks you can pay yourself for what you have advanced, for that money then becomes the property of the prisoners.

Very respectfully, your obedient servant,

W. S. WINDER,
Assistant Adjutant-General.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., February 2, 1865.

Capt. C. MORFIT, *Assistant Quartermaster, Richmond, Va.:*

CAPTAIN: Capt. H. A. M. Henderson, late commanding the prison at Cahaba, Ala., informs me that he has $700 U. S. Treasury notes

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* See Thomas to Hood, January 13, p. 64. † See p. 181.

belonging to prisoners on which he has advanced them money, and wishes to know what is to be done with it. I have written him that the Quartermaster-General buys them at five for one, and that you were the authorized agent of the Quartermaster-General.

Very respectfully, your obedient servant,

W. S. WINDER.

SHREVEPORT, LA., *February 2, 1865.*

Col. IG. SZYMANSKI,

Commissioner for Exchange, Department of Trans-Mississippi:

COLONEL: I wish to call your attention to the fact that when a Confederate officer dies in a Federal prison possessed of money, neither his friends nor heirs are allowed to use or derive any benefit from it, but the amount of which he died possessed is said to be forwarded to Washington, D. C., to be placed to the credit of a prison fund. What that fund is to be appropriated for I am unable to say.

I am, your obedient servant,

J. C. JOHNSON,

Lieutenant-Colonel Bell's Regiment Arkansas Infantry.

WASHINGTON, *February 3, 1865.*

Lieutenant-General GRANT:

Rebel prisoners of war belonging to regiments from Missouri, Kentucky, Tennessee, Arkansas, and Louisiana and disabled prisoners are distributed through all the prison stations. Shall I collect them together at Point Lookout preparatory to their being forwarded for exchange? It will be attended with some delay; some deliveries must first be made from there to make room for them.

W. HOFFMAN,

Commissary-General of Prisoners.

CITY POINT, VA., *February 3, 1865.*

Col. WILLIAM HOFFMAN, *Commissary-General of Prisoners:*

The prisoners designated in your dispatch may be collected at Point Lookout as far as there is room for them. In the meantime exchanges will be made from those prisoners convenient to reach.

U. S. GRANT,

Lieutenant-General.

NEW YORK, *February 3, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to state that since commencing business considerable inconvenience has been experienced on account of my having no sign to mark my place of business. On yesterday morning a business letter of importance was left undelivered to me till late at night, the party having charge of it being unable to find my place of business. I have a sign—the one I used before, and of which some remarks were made in the newspapers; it reads, "Office Brig. Gen. W. N. R. Beall, Confederate agent to supply prisoners of war;" is painted on a sheet of tin fifteen and one-half inches in height and twenty inches long; was placed inside of my glass window in the front door. Is there any objection to putting this sign up? If so, please tell me how it can

be altered to suit your views, or if there is any objection to my putting up a sign I will be glad to have you say so. I have heard nothing from General Van Vliet in reference to the shipment of supplies to the prisoners (Elmira Depot, Fort Delaware, and Point Lookout) to day.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

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37 BLEECKER STREET, *New York, February 3, 1865.*

General W. N. R. BEALL, *75 Murray Street, New York:*

GENERAL: I have the honor to inclose a statement from General Wessells of the number of persons confined at different posts. Inasmuch as a peremptory order relating to the subject was issued from the War Department, which has not been rescinded or changed, I suppose there is but one course to take. I will speak with you on this subject when I meet you. My note was sent to General Van Vliet yesterday. You will doubtless soon hear from him.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[Inclosure.]

Statement of prisoners of war on hand at the following camp prisons, &c., up to the latest received dates.

Prison.	Civil.	Officers.	Non-commissioned officers.	Privates.	Total.
Alton Military Prison, Ill	262	50	68	976	1,356
Camp Chase, Ohio	140	177	1,417	7,339	9,073
Camp Douglas	6	.....	1,588	10,082	11,676
Camp Morton, Ind	21	2	329	3,945	4,297
Fort Warren, Boston Harbor	104	3	67	135	309
Fort McHenry	72	4	19	100	195
Fort Lafayette	17	21	3	19	60
Fort Delaware	82	1,260	778	5,642	7,768
Fort Columbus	1	.....	3	30	34
Johnson's Island	28	2,883	1	122	3,034
Lincoln General Hospital	.....	7	1	53	61
Little Rock	25	32	9	215	281
Louisville	(*a*)	(*a*)	(*a*)	(*a*)	(*a*)
Memphis (up to January 25, 1865)	8	.....	29	476	513
New Orleans, La. (up to January 10, 1865)	33	19	.....	115	167
Ship Island, Ill	167	43	40	255	505
Point Lookout, Md	232	3	1,130	9,732	11,097
Elmira Depot, New York	67	.....	1,097	6,790	7,954
Nashville, Tenn	101	100	218	747	1,166
Old Capitol, Washington	120	43	7	126	296
Rock Island, Ill	23	.....	768	5,513	6,304
West's Buildings Hospital, Baltimore	.....	13	48	156	217
Wheeling, W. Va	7	4	2	13	26
Gratiot Street Prison, Saint Louis	1	4	2	27	34
Hospital, Pulaski, Tenn	.....	15	13	82	110
Hospital, Columbia, Tenn	.....	4	7	24	98
Hospital, Franklin, Tenn	.....	.....	.....	.....	.....
Total	.....	.....	.....	.....	66,621

a None permanently.

Sixty officers and 200 enlisted men of Sherman's captures have been ordered to Point Lookout, together with some wounded prisoners from Fort Fisher. Number not yet ascertained.

HDQRS. FORTY-FOURTH U. S. COLORED INFANTRY,
Chattanooga, Tenn., February 3, 1865.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to forward inclosed the statement of an enlisted man of the Forty-fourth U. S. Colored Infantry, captured at Dalton, Ga., October 13, 1864, who subsequently escaped and is on duty in his company now.

I have already forwarded reports* stating that although I surrendered my command at the place named above "as prisoners of war," their treatment was not that accorded to prisoners of war generally. They were, even under my own eyes a day after their capture, forced to tear up the railroad track between Dalton and Tunnel Hill. Since, I have heard from every man who escaped captivity and returned to the regiment, that they were not only deprived of their clothing, barbarously treated, and when sick sometimes shot down, but constantly worked in a most brutal manner that even surpassed the harshest treatment they had ever received while in bondage.

I believe it to be my duty to the officers and men under my command to call your attention to this matter and to respectfully request you to have some measures adopted to relieve the sufferings of these unfortunate men of the Forty-fourth Regiment in captivity. The officers and soldiers who have experienced and witnessed this degrading and inhuman treatment feel it deeply, and they can only look to the Government in whose service they have volunteered, whose uniform they wear, and which has promised them the protection afforded to other soldiers, to avenge the insults offered and the outrages perpetrated upon them.

I am, general, most respectfully, your obedient servant,

L. JOHNSON,
Colonel, Commanding

[Inclosures.]

CAMP FORTY-FOURTH U. S. COLORED INFANTRY,
Chattanooga, Tenn., February 3, 1865.

[Col. L. JOHNSON:]

COLONEL: I have the honor to submit the following statement: I, with the regiment, was captured at Dalton, Ga., October 13, 1864. The enlisted men of the regiment were compelled by the rebels to tear up the railroad track in that vicinity. We, the captured men of the Forty-fourth U. S. Colored Infantry, were marched from Dalton to Selma, Ala. From thence we were forwarded to Corinth, Miss., at which place we were compelled to labor on railroads. The number of men of the Forty-fourth who labored on these roads I estimated at about 350. During the time I was in the hands of the rebels there were about 250 men of the Forty-fourth delivered to their former masters, or men who claimed to own them, thereby returning these men to slavery. The Forty-fourth arrived at Corinth, Miss., and commenced labor on or about the 1st of December, 1864, at which labor I remained until I effected my escape about the 25th of December, 1864, and arrived at Memphis, Tenn., and from thence I reported to my command at Chattanooga, Tenn.

When I left the rebels there were about 125 men of the Forty-fourth still laboring on these railroads, the remainder having either been sent to the hospital to die, or turned over to civilians as slaves, or effected

* See Series I, Vol. XXXIX, Part I, pp. 717-724.

their escape. While with them our ration consisted of one pint of cornmeal per day and a small portion of fresh beef once or twice per week.

I am, colonel, very respectfully, your obedient servant,

JOHN S. LEACH,

Sergeant, A Company, Forty-fourth U. S. Colored Infantry.

CHATTANOOGA, TENN., *February 3, 1865.*

I certify that while a prisoner in the hands of the enemy, on the 18th day of October, 1864, I was delivered as a slave by rebel authorities to a man who claimed to be my owner, and that I subsequently made my escape.

JOSEPH BUCKNER,

First Sergeant A Company, Forty-fourth U. S. Colored Infantry.

HEADQUARTERS DISTRICT OF EASTERN ARKANSAS,
Helena, Ark., February 3, 1865.

Lieut. Col. C. T. CHRISTENSEN, *Assistant Adjutant-General:*

SIR: About the 1st of May, [1864,] my troops captured First Lieut. T. C. Casteel, First Arkansas Cavalry; First Lieut. J. H. Yerby, First Arkansas Cavalry; First Lieut. W. H. H. Thomas, adjutant Ninth Missouri Infantry; Private T. Stoneham, First Arkansas Cavalry; Private T. A. Quarles, First Arkansas Cavalry; Private J. G. Smith, First Arkansas Cavalry, all of whom violated the laws of war, and I reported their cases to General Steele* and requested him to apply to the Secretary of War for an order to incarcerate them at the Tortugas or some Northern prison until the close of the war. On the 12th of May General Canby was here, to whom I gave a copy of my letter, and understood him to concur with me. These men have been confined in the military prison of this post, which is a brick building two stories high, the lower story being secured with iron bars and doors, and the yard of half an acre is inclosed with a palisade fence. They have been allowed the privileges of the whole house, kitchen, and yard during the day, but have been locked up in the lower story at night. General Steele has never replied to my letter. The reasons for making the above request were as follows: All of these persons have violated the laws of war by making midnight thieving excursions to the plantations leased by the Government to peaceful citizens, and stealing from them horses, mules, watches, money, clothing, and provisions. I have evidence that Lieutenant Casteel has more than once fired on unarmed boats; that he has had one white man named Hobbs and two negroes killed; that he has had other negroes unmercifully whipped, and that all the others above named have been principals or accomplices in sundry acts of crime and brutality. These men have all been secreted, harbored, and encouraged by the people in this vicinity, and they have had to be hunted from their hiding places, and it has taken months to capture them. Now, if such men should be treated as prisoners of war and exchanged it is certain they would return to their former hiding places and practices. They with others have stolen over 300 mules and horses since I have been in command, which led me to enforce

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* See Series I, Vol. XXXIV, Part III, p. 562.

General Grant's retaliatory orders. I have just received the following letter:

OFFICE OF COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 21, 1865.

Brig. Gen. N. B. BUFORD, *Helena, Ark.:*

GENERAL: I am authorized to request that the following-named officers and enlisted men of the rebel army, who are said to be in close confinement in cells at Helena, Ark., be immediately released and forwarded, under proper guard, to Lieut. Col. John E. Mulford, agent for exchange of prisoners, Fort Monroe, Va., viz: Lieut. John H. Yerby, Lieutenant Casteel, Lieutenant Thomas, Privates Thomas A. Quarles, Thomas Stoneham, and John [G.] Smith. Please report your action.

I am, general, very respectfully, your obedient servant,

H. W. WESSELLS,
Brig. Gen., U. S. Volunteers, Inspector and Commissary-General of Prisoners.

and in compliance with it send five of the prisoners first named, and also Capt. John R. Swan, of Dobbin's brigade, who has been guilty of the same offenses charged to the others, but captured since then, to General Canby, at New Orleans, for his decision whether he will forward them to Fortress Monroe, as requested by General Wessells, or make other disposition of them. A long time ago I sent J. G. Smith, with other prisoners, North. I do this as the men will be less liable to escape by this route than by the northern route, if forwarded to Fortress Monroe, and will be less expensive to the Government. I send you the prisoners in charge of Lieut. A. D. Atkinson, of the Twenty-third Wisconsin Infantry. The guard is furnished by the Sixty-eighth U. S. Colored Infantry, who are en route to New Orleans. Lieutenant Atkinson is ordered to return when he turns over his prisoners and gets your answer.

I have the honor to be, your obedient servant,

N. B. BUFORD,
Brigadier-General, Commanding.

HEADQUARTERS DISTRICT OF EASTERN ARKANSAS,
Helena, Ark., February 3, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners:

SIR: Your letter of the 21st ultimo is received. One of the prisoners named, J. G. Smith, was sent to Northern prisons via Cairo some months ago. The others, First Lieut. T. [C.] Casteel, First Arkansas Cavalry; First Lieut. J. H. Yerby, First Arkansas Cavalry; First Lieut. W. H. H. Thomas, adjutant Ninth Missouri Infantry; Private T. Stoneham, First Arkansas Cavalry; Private T. A. Quarles, First Arkansas Cavalry, and Capt. J. R. Swan, of Dobbin's brigade, who is guilty of the same offenses as the others, will be sent to Fortress Monroe, via New Orleans, by the first boat, with a statement of their cases to Maj. Gen. E. R. S. Canby.

These men have not been confined in cells nor with ball and chain, but for security have been locked up at night. They have had the privileges of the whole building and yard during the day. They have twice plotted an escape.

My report to General Canby, which was also made to General Steele on the 12th of May last, shows these men have been midnight marauders on the leased plantations near this place; that they have at different times, before they were captured, stolen 300 horses and mules, besides money, clothing, and provisions, from peaceful loyal citizens and freedmen.

I recommend they should be confined at the Tortugas during the war. If exchanged, some of them were brutal overseers on the plantations in this vicinity before the war, and will be likely to come back and be troublesome again.

I have the honor to be, your obedient servant,

N. B. BUFORD,
Brigadier-General, Commanding.

HEADQUARTERS POST, *Salisbury, February 3, 1865.*

To His Excellency Governor Z. B. VANCE:

SIR: Your communication of 1st instant in reference to the condition of the Federal prisoners at this post has been received. General Johnson has been absent for the week or so past, detained in Virginia by the illness of his wife, and I will endeavor to furnish Your Excellency a short statement. General Johnson will on his return, which is expected to-morrow, or at most the first of next week, answer at more length. The C. S. prison when established at this place was contemplated for Confederate prisoners only, buildings and sufficient ground being purchased for that purpose. About the 5th of November, 1864, a large number of prisoners of war, some 8,000, were suddenly sent here, the Government having no other place to send them. The grounds were enlarged and such preparations as could be made were arranged for their reception. A short time after their arrival tents were issued, and now they are all under shelter of some sort. The number of prisoners confined here has reached as high a figure as 10,000. When sent here they were in extremely bad condition. Wood in sufficient quantity is issued them. Only two days have they been without, and then unavoidable circumstances prevented its issue. The issue of wood is regulated in a measure by the weather. In extreme days they receive more than when the weather is mild. As evidence that they have plenty, they offer to sell, and do sell, to the sutler wood for his stove in exchange for tobacco. He informs me that more is offered him than he buys or has use for.

The matter of food receives the earnest attention of the commanding officers. They regularly receive one pound good bread, one pint soup, besides small issues of meat or sorghum. Sometimes small quantities of both. Inclosed please find a memorandum account showing the number of prisoners and the articles given them for the past fifteen days. As to clothing, their condition is truly deplorable, most of them having been prisoners some six or nine months. The Confederate Government cannot issue clothing to them, and none has been received at this post from the North. General Johnson, in a communication to Commissioner Ould in early part of January, called attention to their condition in this respect, which he set forth in the fullest terms, and requested his paper be forwarded to the Federal authorities. Your generous proposition will no doubt be readily agreed to by the Federal Government. As soon as the general returns I will lay your communication before him and he will do all he can to effect its consummation. Ten wells are in the prison, which afford them water. In addition, they are permitted every day to bring water in barrels from a neighboring creek. No stream of water runs through the prison. This is unfortunate, but a removal of prisoners to Columbia is contemplated, and all improvements, buildings, &c., have been prohibited by General Winder. General York, who has visited most of the prisons South,

recruiting, assures me of the superiority of this. In consequence of the lack of transportation and the damages to the railroads of late the energy of the officers of the Commissary and Quartermaster's Departments has been subjected to no mean test, but the prisoners have not suffered for wood or rations. An inspector from Your Excellency will receive every facility to visit the prison. In regard to a former communication from Your Excellency in reference to the Senior Reserves, a reply to which has been delayed by the general's absence, I most respectfully state every indulgence consistent with the service has been afforded them. Furloughs for seven days, with the addition of the time required to reach their homes, are granted at the rate of six to the one-hundred arms-bearing men present for duty. The duty is onerous on them, but is caused by the frequent and numerous desertions.

I have the honor to be, very respectfully, Your Excellency's obedient servant,

G. W. BOOTH,
Captain and Assistant Adjutant-General.

P. S.—Since writing the above a telegram has been received stating that shoes, blankets, &c., have been shipped from Richmond, and Federal officers are now here to superintend their distribution.

G. W. BOOTH,
Assistant Adjutant-General.

[Inclosure.]

Rations issued to Federal prisoners at Salisbury, N. C., from January 20 to February 3, 1865.

Total number of rations due, 118,468—7,417 pounds of beef, 61,582 pounds of flour, 57,156 pounds of meal, 8,188 pounds of rice, 1,765 pounds of potatoes, 2,981 pounds of peas, 1,028 gallons of molasses, 49 bushels of salt; 5,500 average number of prisoners.

Full rations of breadstuffs were issued and all the meat that could be had after subsisting our own troops on duty here. Potatoes and molasses issued in lieu of meat.

MOULTON, *February 3, 1865.*

General BEAUREGARD,
Commanding Military Division of the West:

GENERAL: While we occupied Huntsville we captured some twenty or more Federals, which was the occasion of Colonel Prosser, commanding cavalry brigade, sending in flag of truce, asking an exchange of prisoners, to which I replied in the affirmative if the exchange could be made general. Some time after the raid which burned the pontoon train returned to Decatur, one lieutenant belonging to General Armstrong's brigade, two to mine, and one private were sent out from Decatur with authority to exchange themselves for eight Federals captured from the raid. I sent the eight men called for, but declined making further exchanges without it was a general one for all of my men, promising to return those specified and procure others to make up the equivalent for all mine. Inclosed find copy of communication received by flag of truce to-day in reply.* The prisoners were sent below by railroad from Corinth when General Hood fell back from Tennessee—I think one captain and twenty men. I now have from ten

* See Granger to Roddey, January 31, p. 157.

to twenty prisoners here and some have been sent below via Tuscaloosa. The enemy hold between 300 and 400 men of mine, captured in the last six months, many of them the best men I had, and I wish to inquire of you if I can get the number needed to complete the exchange and when I can promise to deliver them.

Very respectfully,

P. D. RODDEY,
Brigadier-General.

[Indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE WEST,
Augusta, February 26, 1865.

Respectfully referred to Lieut. Gen. R. Taylor.

By command of General Beauregard:

GEORGE W. BRENT,
Colonel and Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 4, 1865.

Brig. Gen. H. E. PAINE, *New York City, N. Y.:*

GENERAL: Your letter of the 2d instant, requesting to be informed of the number of prisoners at the several stations, to enable General Beall to distribute his supplies judiciously, is received, and in reply I have to inform you that there is an average of about 8,000 at the following stations, viz: Point Lookout, Fort Delaware, Elmira, Camp Chase, Columbus, Ohio; Camp Douglas, Chicago, Ill.; Camp Morton, Indianapolis, Ind., and Rock Island, Ill.; about 3,000 at Johnson's Island, 1,200 at Alton, Ill., and 1,500 wounded men in and near Nashville, Tenn. There may be about 500 at and near New Orleans.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 4, 1865.

Brig. Gen. H. E. PAINE, U. S. Volunteers, *New York, N. Y.:*

GENERAL: I have the honor to inclose herewith requisition for clothing required for prisoners of war at Fort Delaware, Point Lookout, Camp Chase, and Camp Douglas. As under the recent understanding these articles are to be furnished by the rebel authorities through their agent, General Beall, I send you the estimate to show what quantities should be furnished. Please notify me to what prisons supplies are forwarded, and when.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, *February 4, 1865.*

Brigadier-General HOFFMAN, *Commissary-General of Prisoners:*

GENERAL: His Excellency Stephen Miller, Governor of Minnesota, with a humane and pathetic anxiety to minister to the wants of such Minnesota soldiers as may be held in rebel prisons, authorizes me to

expend for their relief the sum of $500. Will you therefore be so kind as to inform me whether the records of your office furnish the names of such prisoners and their places of confinement? If so, I will be pleased to receive such suggestions as your large familiarity with the subject will enable you to give in regard to the best means of expending the sum in question.

Very respectfully,

ALEX. RAMSEY.

SURGEON-GENERAL'S OFFICE,
Washington City, D. C., February 4, 1865.

[COMMISSARY-GENERAL OF PRISONERS:]

SIR: The following extracts are from reports of inspection at Elmira, N. Y., by Medical Inspector G. H. Lyman, U. S. Army:

PRISON CAMP, *Elmira, January 24, 1865.*

The hospital accommodation is still insufficient. Some 200 are still kept in quarters who should be in hospital. To diminish the sickness and mortality I would recommend: First. That additional wards be constructed and that provision be made for hot water bathing of the sick. It is impracticable to give this thoroughly in the wards, and it is very much needed. Second. That hospital clothing be allowed, which would afford an opportunity for cleansing the woolen and underclothing of the patients. Third. That all the old barracks be provided with additional windows. In the winter season the men confine themselves to the wards as much as possible for warmth, and the closing of the doors and windows renders these barracks too dark. Fourth. That more cubic and superficial space be afforded by the erection of additional barracks. The type of the disease is that which would result from overcrowding. There is no acute disease, everything assumes a typhoid type.

A steam washing machine is needed for the hospital and can well be afforded from the prison fund if authorized.

I have the honor to be, very respectfully, your obedient servant,

MADISON MILLS,
Medical Inspector-General, U. S. Army.

RICHMOND, *February 4, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I beg leave to call your special attention to the case of Lieut. S. B. Davis, who it appears is being tried before a court-martial, of which Lieutenant-Colonel Webber is president, sitting in Cincinnati. He is charged with being a spy. Lieutenant Davis is an officer of the Confederate Army and was acting in obedience to orders. In no sense of the term was he a spy. Will you please inform me what has been done in his case, and convey to the Federal authorities the assurance that he is not a spy, and that proof will be furnished to that effect.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 4, 1865.*

Brig. Gen. JOHN H. WINDER, *Columbia, S. C.:*

General Beauregard advises that the prisoners at Florence shall be removed to Southwest Georgia. While the Department is inclined to adopt his views they are submitted to your judgment.

S. COOPER,
Adjutant and Inspector General.

CITY POINT, VA., *February 5, 1865—11.30 p. m.*

Hon. E. M. STANTON, *Secretary of War:*

Will you please say to the President that Lieutenant Markbreit has been released from prison and is now on his way North. Arrangements for exchange of all prisoners of war are now complete and exchanges will go on rapidly. All but two of those who were in close confinement in Richmond are now on the steamer New York. I am also in receipt of communication from General Hayes, acknowledging receipt of supplies of clothing for our prisoners and the completion of arrangements for transportation and distribution.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., February 5, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: Your telegram of the 4th instant, directing the preparation of rolls of 3,000 prisoners of war, was duly received and preparations commenced at once. Permit me to call your attention thus early to the route by which these men are to be forwarded. The Northern Central Railroad to Baltimore is, as I am informed, so pressed with the transportation of recruits and substitutes between Harrisburg and Baltimore that it is with great difficulty that we can get transportation for the few recruits we are now forwarding by this line. The detachment of prisoners that was sent from here last fall were forty hours in reaching Baltimore, a run which should have been made in fifteen hours. To keep sick men upon the road at this season of the year in cars without seats and without water-closets or any of the conveniences usually provided for the transportation of passengers will result in much suffering. It will cost no more to transport these men to New York than to Baltimore, while the Erie Railroad has a large number of second-class passenger cars and can move a detachment of 500 men on a few hours' notice and land them in New York within twelve to fifteen hours from starting. Besides, much weaker men can be transported via New York than by the Northern Central Railroad. Unless facilities for water transportation from Baltimore are greatly superior to those from New York it is very desirable that they be forwarded via New York City.

I am, general, very respectfully, your obedient servant,

B. F. TRACY,
Colonel 127th U. S. Colored Troops, Commanding Depot.

HEADQUARTERS SUPERINTENDENT OF PRISON,
Johnson's Island, Ohio, February 5, 1865.

Col. CHARLES W. HILL,
Commanding U. S. Forces, Johnson's Island, Ohio:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 5, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—comfortable. State of quarters—clean except two blocks, fair. State of mess-houses—clean. State of kitchen—clean. Food, quality of—good. Food, quantity of—full prisoners' ration. Water—good.

Sinks—fair. Police of grounds—good as weather will admit of. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—good and abundant. General health of prisoners—very good. Vigilance of guard—good.

Remarks and suggestions.—Whole number of prisoners, 3,014; number of sick in hospital, 55; number of deaths since last report, none.

Very respectfully, your obedient servant,

E. A. SCOVILL,

Lieut. Col. 128th Regiment Ohio Vol. Infantry, Inspecting Officer.

[Indorsement.]

On the 3d of February, 1865, Maj. H. Eversman, surgeon, U. S. Volunteers, chief medical officer; Major Linnell, assistant superintendent of prison, and Captain Collins, Sixth Regiment Veteran Reserve Corps, were detailed under Special Orders, No. 34, paragraph 5, current series, these headquarters, herewith inclosed. Their report is not made but will be forwarded as soon as received.

Awaiting such facts as they may present and such expressions as their report may call for, this report is respectfully referred to the Commissary-General of Prisoners.

CHAS. W. HILL,

Colonel 128th Ohio Volunteer Infantry, Commanding Post.

[Inclosure.]

SPECIAL ORDERS, } HEADQUARTERS U. S. FORCES,
No. 34. } JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, February 3, 1865.

* * * * * * *

5. A board of officers will convene at these headquarters at 10 a. m., February 4, 1865, to make a minute and thorough inspection of grounds and buildings used for the military prison at this post, and will make a report in writing to the colonel commanding on the following points, to wit: First, general condition of the grounds, specifying any particular defects in policing that may exist and the causes, duration, how soon and by what means they can be remedied; second, condition of barracks, mess-hall, kitchen, and sink; third, the arrangement of each block, showing how far the prison regulations are complied with or departed from, particularly as relating to the use of cooking-stoves in the quarters, with the number of stoves so used; fourth, suggestions as to the measures which would tend to improve the sanitary condition of the prison, so far as the same is dependent on policing, drainage, and arrangement of sinks. Lieutenant-Colonel Scovill, superintendent of the prison, will afford every facility to the board to enable them to make a thorough inspection. Detail for the board: Maj. H. Eversman, chief medical officer; Maj. T. H. Linnell, assistant superintendent prison; Capt. A. D. Collins, Sixth Regiment Veteran Reserve Corps.

By command of Col. Charles W. Hill:

J. F. HUNTINGTON,

Captain and Acting Assistant Adjutant-General.

[FEBRUARY 5, 1865.—For correspondence, &c., relating to the capture and imprisonment of Harry W. Gilmor, see Series I, Vol. XLVI, Parts I and II.]

COLUMBIA, *February 5, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

As to supplies, General Beauregard's suggestion is good. As at present advised, I do not think Southwestern Georgia is safe, and if safe I have not troops sufficient to remove prisoners.

JNO. H. WINDER,
Brigadier-General.

NAVY DEPARTMENT, *Washington, February 6, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: Complaint has been made by William James, who was a passenger on board the captured steamer Vixen, of his detention at Point Lookout, Md. He represents that he is a British subject. The Vixen, although sailing under the British flag, was without papers of any description, and the practice in such cases is to detain the officers and crew until the neutral character of the vessel be established. Those who are passengers only and are bona fide foreign subjects, having no connection with the insurgent Government, are usually released. This course is advisable in the case of James and any others in the same category who were captured in the Vixen and may be detained at Point Lookout.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

[Indorsement.]

FEBRUARY 9, 1865.

The undersigned regards the recommendation in cases like this (of naval captures) as full authority for a discharge, and he accordingly recommends the discharge of William James, and he further recommends that the Commissary-General of Prisoners procure a report of "other cases in the same category," if any, and submit them for the decision of the War Department. Approved by the Secretary of War.

E. A. HITCHCOCK,
Major-General of Volunteers.

PROVIDENCE, R. I., *February 6, 1865.*

Hon. CHARLES A. DANA,
Assistant Secretary of War, Washington, D. C.:

SIR: I have the honor to acknowledge your letter of the 31st of January with inclosures and to make the following statement in accordance with your request:

On the 5th day of July, 1863, I received at my headquarters in Cincinnati, Ohio, information by telegraph that Lieut. Col. Charles S. Hanson, commanding the Twentieth Kentucky, had surrendered with his command at Lebanon, Ky., to General John H. Morgan, and that Colonel Hanson had been paroled and left in Lebanon when the enemy retreated from that place. I called upon Colonel Hanson by telegraph for a report of the affair and received from him the following reply:

LEBANON, KY., *July 5, 1863.*

General BURNSIDE:

I was attacked about 7 o'clock this morning by General Morgan with 4,000 men and six pieces of artillery. I had only 350 men. I held out until about 1 o'clock,

when our ammunition became exhausted, and the rebels commenced burning the town, and my men wearied, quite a number wounded, and despairing of receiving re-enforcements, I deemed it wise to give up. 'Tis regarded as a good fight on my part.

CHARLES S. HANSON,
Lieutenant-Colonel.

Other conversation took place by telegraph in reference to his parole and the direction taken by the enemy, in which Colonel Hanson stated that he did not think it proper to give such information, as he had taken his parole. The conversation resulted in the following dispatch:

HEADQUARTERS DEPARTMENT OF OHIO, *Cincinnati, July 5, 1863.*

Colonel HANSON, *Lebanon, Ky.:*

You need not under the circumstances give information as to the route the enemy took. You violated a positive order in accepting a parole on the spot. You should have gone with the enemy and have been sent to City Point. A positive order from the War Department declares such paroles void. You will report yourself without delay to General Boyle at Louisville under arrest.

A. E. BURNSIDE,
Major-General.

For several days after this I was so much occupied in directing the movements of troops then in pursuit of General Morgan that I had no time to investigate Colonel Hanson's case. As soon as I did find time to look into it I became convinced that Colonel Hanson had made a good fight and that he did not know of the existence of the order in reference to paroles and I therefore directed his release from arrest. I then requested from Washington instructions as to the validity of the paroles given by his command and received the following reply:

WASHINGTON, *July 15, 1863.*

Major-General BURNSIDE:

All paroles taken prior to 22d of May, if properly authenticated, will be recognized for exchange. After that date they are invalid unless in conformity with Article 7 of the cartel.

W. HOFFMAN,
Commissary-General of Prisoners.

Although this decision rendered their parole void, I was reluctant to send the regiment to the front. On the 25th of July I received from General Hartsuff the following:

LEXINGTON, KY., *July 25, 1863—6 p. m.*

General BURNSIDE:

Section 7 of the existing cartel for exchange of prisoners, the decision of the Commissary-General of Prisoners, and that of a court in the case of Duane and Michler, recently captured in Maryland, all show conclusively that the paroles of the Twentieth Kentucky are void. I think they should immediately be declared so, the enemy notified, and the regiment armed and put to duty. * * *

G. L. HARTSUFF,
Major-General.

I then directed that the regiment should be armed, and took occasion subsequently in an order to commend their gallantry in the fight at Lebanon, as was requested in the following dispatch, which will also show that Colonel Hanson resisted in every way possible, without being insubordinate, the order directing him to take up arms again:

LEXINGTON, KY., *July 28, 1863.*

Major-General BURNSIDE:

* * * I notified you that I had directed the arming of the Twentieth Kentucky and its return to duty. There is a good deal of feeling about it. Will you immediately issue the order declaring their paroles to be null and void, with reasons, and a tribute to the gallantry of the regiment? It is needed. I am convincing Colonel Hanson of the justice and necessity of the order.

GEO. L. HARTSUFF,
Major-General.

On the 30th of July I sent the following dispatch:

HEADQUARTERS, *Cincinnati, Ohio, July 30, 1863.*

General HARTSUFF, *Lexington, Ky:*

I cannot make up my mind, under the circumstances, to send Colonel Hanson to the field for active operations. * * *

A. E. BURNSIDE,
Major-General.

Colonel Hanson was afterward ordered to Louisville with his regiment, to act as provost guard. It is clear to me that he did nothing in this matter that was not characteristic of a high-toned subordinate and gallant officer. As to his treatment of prisoners, I can only say that I know of no case in which he ever maltreated any civil or military prisoners. General Boyle is better informed on that subject than I am. All arrests made by him in Kentucky were in strict accordance with orders from my headquarters.

Colonel Hanson is undoubtedly correct in the substance of his statement as to the assurances given by me that his parole was not binding. He no doubt received from me the impression that some special arrangement had been made in his case, as I probably told him that a large number of Confederate prisoners captured by Colonel Sanders during his raid into East Tennessee in June were not considered as legally paroled, and that I had notified, or should notify, the commander of the enemy's forces of the invalidity of their paroles, as well as those of his (Colonel Hanson's) command.

Not far from the same time that Colonel Hanson was captured, Lieut. Col. R. A. Alston, of General Morgan's staff, was captured by our forces and paroled. I at once directed that the parole was not valid and had Colonel Alston placed under guard. After the capture of General Morgan and his command I directed that the privates should be sent to Camps Chase and Douglas and the officers to Johnson's Island. After the train had started with the officers for the latter place I received from General Halleck the following:

WASHINGTON, *July 28, 1863.*

Maj. Gen. A. E. BURNSIDE:

You will receive instructions from the Commissary-General of Prisoners of War in regard to Morgan's men. The officers are to be kept in close confinement in Columbus or other penitentiaries as hostages for Colonel Streight's officers and men.

H. W. HALLECK,
General-in-Chief.

In the execution of this order Colonel Alston was placed in the penitentiary with the other officers. Upon hearing of this from Colonel Alston I sent to General Mason, then in command at Columbus, the following dispatch:

HEADQUARTERS, *Cincinnati, Ohio, July 31, 1863.*

General MASON, *Columbus:*

Don't confine Colonel Alston or the other officers sent to Camp Chase before Morgan in the penitentiary.

A. E. BURNSIDE,
Major-General.

I felt that, although Colonel Alston's parole had not been valid, and that he was, in accordance with the terms of the cartel, a lawful prisoner in our hands, he should be allowed to return to his home at once, to remain until properly exchanged, and I made all proper efforts to accomplish this result. The colonel was afterward released and wrote me from Fortress Monroe the following note:

FORT MONROE, *October 5, 1863.*

Maj. Gen. A. E. BURNSIDE:

GENERAL: I have been informed that I will be sent to City Point by the first flag-of-truce boat. I take this opportunity to acknowledge your kindness, and would

gladly avail myself of the occasion to reciprocate it. If there is any officer at Richmond of equal rank that you would especially desire to have released on parole, I think, sir, I could be instrumental in accomplishing it.

Very respectfully, your obedient servant,

R. A. ALSTON,
Lieutenant-Colonel, Provisional Army, C. S.

This statement regarding Colonel Alston is made in view of the fact that he is the officer who prefers the charges against Colonel Hanson.

I certify upon honor that the above statements are correct, to the best of my knowledge and belief.

A. E. BURNSIDE,
Major-General.

CITY POINT, VA., *February 6, 1865.*

Maj. Gen. E. O. C. ORD, *Commanding Army of the James:*

Your dispatch in relation to retaining certain prisoners of war on taking the oath of allegiance is received. They cannot be released before being exchanged for prisoners of ours. They should be among the first forwarded for exchange if they desire it, and be made acquainted with Special Orders, No 3, current series, relating to desertions from the enemy, and informed that if they came voluntarily into our lines they will be permitted to remain unmolested under the provisions of said order.

By command of Lieutenant-General Grant:

JNO. A. RAWLINS,
Brigadier-General and Chief of Staff.

RICHMOND, *February 6, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: The Confederate officers who were delivered yesterday and who left Johnson's Island on the 27th of January, state that the order of August 10, 1864, is still rigidly enforced. They also complain of the amount of food given to them, alleging that it is barely sufficient to keep them from starvation. In view of the recent agreement made with General Grant for the purpose of relieving prisoners, I again make the request that all restrictions on both sides which prevent prisoners from receiving contributions, public or private, or from making purchases of proper articles, be immediately removed.

Very respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[First indorsement.]

OFFICE U. S. ASSISTANT AGENT OF
EXCHANGE OF PRISONERS,
Fort Monroe, Va., February 24, 1865.

Respectfully forwarded to headquarters Armies of the United States, with the statement that Mr. Ould has again complained that no abatement in former orders has been made further than to allow prisoners to purchase vegetables. He has requested me to call the attention of the Lieutenant-General to the fact that under the agreement our prisoners were permitted to purchase in market whatever they could pay for, and receive such contributions as might be offered them. He claims a reciprocal arrangement, and I think the welfare, comfort, and almost

existence of prisoners whom they do or may hereafter hold, depends upon a continuance of the privilege to receive the benefit of outside supplies.

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent of Exchange.

[Second indorsement.]

CITY POINT, VA., *February 25, 1865.*

Respectfully forwarded to the Secretary of War, with the recommendation that prisoners of war be allowed to purchase food and clothing freely when they have the means of paying for them. We are the gainers by this agreement.

U. S. GRANT,
Lieutenant-General.

[Third indorsement.]

HEADQUARTERS OF THE ARMY,
Washington, February 27, 1865.

Approved.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, *February 6, 1865.*

Lieutenant-General GRANT:

Will the prisoners who are to be forwarded for exchange be released on parole before exchange? In that case they will be required to sign parole before being forwarded, which will cause some delay.

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *February 6, 1865—11 a. m.*

Col. WILLIAM HOFFMAN, *Commissary-General of Prisoners:*

All exchanged prisoners are paroled before exchange. Flag-of-truce boats will be at Point Lookout on the 9th to take about 2,000 prisoners.

U. S. GRANT,
Lieutenant-General.

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37 BLEECKER STREET, *New York, February 6, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

GENERAL: I have the honor to inquire whether General Vance has been paroled subject to the same regulations which control General Beall, and if not, whether General Beall will be permitted (as he requests) to send him to our prisons to attend to the distribution of supplies, with or without the privilege of personal communication with the prisoners.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

75 MURRAY STREET, *New York, February 6, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to ask that you make, if there is no objection, an arrangement with the Quartermaster's Department to furnish transportation on requisitions made direct from me for supplies to go to the several prisons. This, if done, will save much time and will save you the work of forwarding my requisitions. Please inform me if you have received any notice from Washington that officers have been transferred to the several prisons. I would respectfully ask that Brig. Gen. R. B. Vance, who is to be my assistant, be permitted to visit such prisons as I may desire, to look to the distribution of supplies. This privilege is, I see from the papers, granted the U. S. officers in the South. I inclose a letter from General Vance. Please write and telegraph General Schoepf at Fort Delaware. If the arrangement can be made to ship on my requisition made direct I can report to you each day the shipments made the previous day. On Saturday I shipped to Point Lookout 2,000 blankets, 1,000 socks; to Elmira 1,000 blankets, 1,000 socks; have also supplies to ship to-day to Fort Delaware. I purchased 15,000 pair socks and 7,000 pair shoes on Saturday. The delay in the cotton transshipped by Captain Noyes will cause me great inconvenience, I fear. Can he not hurry it up?

I am, general, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

[Inclosure.]

FORT DELAWARE, DEL., *February 6, 1865.*

Brigadier-General PAINE, *New York:*

DEAR SIR: I am satisfied that there is some mistake in reference to my aiding General Beall in his purchasing supplies for Confederate soldiers prisoners of war. If correctly informed my Government made an arrangement for me to join General Beall. The order came here from Washington to that effect and my parole was made out, notice to be given General Schoepf by you when the cotton arrived in New York. I desire to call your attention to the facts, feeling assured that a mistake has been made in the matter. Justice to the agreement with my Government would suggest that it be carried out.

Very truly, yours,

ROBT. B. VANCE,
Brigadier-General and Prisoner of War.

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37 BLEECKER STREET, *New York, February 6, 1865.*

Brig. Gen. W. N. R. BEALL, *75 Murray Street, New York:*

GENERAL: I have the honor to forward for your information papers this day received from Brevet Brigadier General Hoffman, Commissary-General of Prisoners, viz, (1) requisition and letter of Capt. Charles Goodman, assistant quartermaster, Camp Douglas; (2) letter of General A. Schoepf and requisition of Capt. S. R. Craig, assistant quartermaster; (3) letter of Alonzo Morgan and requisition of Alonzo Morgan and others, Point Lookout, and (4) requisition of Capt. T. J. Kerr, assistant quartermaster, Camp Chase. These requisitions were drawn on U. S. officers, except that of A. Morgan and associates.

I will endeavor to make the arrangement referred to in communication of this date.

I have received no notice of the transfer of any officers. Will communicate by telegraph and mail with General Schoepf, as requested, and will obtain from the War Department information as to the functions of General Vance.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS FORT COLUMBUS,
New York Harbor, February 6, 1865.

COMMISSARY-GENERAL OF PRISONERS, *Washington City, D. C.:*

SIR: In compliance with paragraph 12 of circular from the Commissary-General of Prisoners, dated Washington, D. C., April 20, 1864, I have the honor to submit for your approval the inclosed special estimate of clothing required for the use of prisoners of war at this post, and to state that although all of the amount specified is not now actually required, yet it is deemed necessary to keep a small quantity on hand to meet the frequent demands for clothing consequent on the liability of having the class of prisoners for whom it is intended for issue sent to this point at any moment, many of whom are entirely destitute of bedding, and in a great measure of the necessary clothing to insure cleanliness and comfort.

Very respectfully, your obedient servant,

J. V. BOMFORD,
Colonel Eighth U. S. Infantry, Commanding Post.

HEADQUARTERS WEST'S BUILDINGS HOSPITAL,
Baltimore, Md., February 6, 1865.

Surg. A. CHAPEL, U. S. Volunteers, *Commanding Hospital:*

SIR: I have the honor to submit the following report of the condition of the prisoners of war at this station for the week ending February 4, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient. Bedding—good. State of quarters—good. State of mess-houses—good. State of kitchen—good. Food, quality of—excellent. Food, quantity of—sufficient. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—excellent. Hospital diet—good, General health of prisoners—good as could be expected from the nature of their wounds and diseases. Vigilance of guard—good.

Very respectfully, your obedient servant,

HORATIO ROBERTS,
Second Lieut., Veteran Reserve Corps, and Inspecting Officer.

[Indorsement.]

Received February 1, 1865, of Brig. Gen. W. N. R. Beall, paroled commissioner for supplying Confederate prisoners, the following-named articles: Twenty-five pair pants, 25 pair shoes, 25 blankets, 3 dozen pair woolen socks.

Respectfully referred to the Commissary-General of Prisoners.

A. CHAPEL,
Surgeon, U. S. Volunteers, Commanding Hospital.

RICHMOND, *February 6, 1865.*

Brig. Gen. W. M. GARDNER:

SIR: I will be obliged to you if you will direct that all the prisoners of war who heretofore were in close confinement or irons, and who were recently ordered to be released, be at once forwarded to Richmond for delivery to the Federal authorities. They are few in number. I suppose you have information in your office as to who and where they are. If not, I will be glad to furnish any which may be in my possession.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

COLUMBIA, S. C., *February 6, 1865.*

General G. T. BEAUREGARD, *Augusta, Ga.:*

Will it be safe to remove prisoners from Florence to Southwestern Georgia? I have not sufficient troops to guard them in transit.

JNO. H. WINDER,
Brigadier-General.

COLUMBIA, S. C., *February 6, 1865.*

Brigadier-General WINDER, *Kingsville, S. C.:*

I think you should return. General Beauregard urges in a second dispatch the removal of prisoners from Florence to Southwestern Georgia.

W. S. WINDER,
Assistant Adjutant-General.

WASHINGTON, *February 7, 1865.*

Lieutenant-General GRANT, *Commanding U. S. Army:*

One thousand prisoners at Fort Delaware are ready to be forwarded. May they be sent direct from there to City Point? What proportion of officers do you wish?

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *February 7, 1865.*

Col. WILLIAM HOFFMAN, *Commissary-General of Prisoners:*

The prisoners you have at Fort Delaware may be forwarded direct to City Point. The proportion of officers is not material. Six per cent. of the whole number of prisoners will answer. I think Pryor and a Sergeant Waterbury, now at Point Lookout, should not be exchanged so long as we hold a prisoner.

U. S. GRANT,
Lieutenant-General.

CINCINNATI, *February 7, 1865—4 p. m.*

His Excellency the PRESIDENT OF THE UNITED STATES:

I hear that you have been solicited to commute the sentence of death awarded a rebel spy of the name of Davis by a commission now in

session in this city. The sentence was approved by me, with the view of commuting it to confinement and hard labor during the war, which was done day before yesterday.

JOS. HOOKER,
Major-General.

WASHINGTON, D. C., *February 7, 1865.*

Bvt. Maj. Gen. M. C. MEIGS,
Quartermaster-General U. S. Army, Washington, D. C.:

GENERAL: I am directed by the lieutenant-general commanding the Army to forward the prisoners of war at Fort Delaware to City Point, and I have therefore the honor to request that a ship that can carry about 1,000 prisoners, with a guard of 200 men, may be ordered to report to the commanding officer at Fort Delaware for this service. There are about 8,000 prisoners at the fort, and it is possible that all will be transferred to City Point by successive trips of the ship.

There are several thousand prisoners of war to be transferred from the West to Point Lookout or City Point via Baltimore, and I would respectfully suggest that two river steamers be provided for this service. I have notified the chief quartermaster in Baltimore of this movement.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

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37 BLEECKER STREET, *New York, February 7, 1865.*

General STEWART VAN VLIET, *Chief Quartermaster, New York:*

GENERAL: I have the honor to request that you will, if practicable, permit General W. N. R. Beall, without special requisition in each case, transportation to the several prison depots of the United States for such of the articles enumerated in General Orders, No. 299, Adjutant-General's Office, December 7, 1864 (inclosed*), as he may from time to time turn over to you, whether such articles may have been purchased by himself or received by flag of truce from Richmond, and that you will forward them to the commanding officers of the prison depots in accordance with the regulations applicable thereto.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

QUARTERMASTER'S OFFICE, *New York, February 7, 1865.*

Brig. Gen. H. E. PAINE, *37 Bleecker Street, New York:*

GENERAL: In reply to your letter of this date, in reference to furnishing transportation without special requisition for such articles as General Beall may desire to send to the various prison depots of the United States, I have to state that I have hitherto invariably done so, and in no case that I am aware of have I called for a special requisition. The only thing I require of General Beall is, that he sends me a list of the boxes and packages, with the mark thereon

*See Vol. VII. this series, p. 1198.

particularized, and their destination, so as to perfect the bill of lading and secure their proper distribution and safe delivery.

Very respectfully, your obedient servant,

STEWART VAN VLIET,
Brevet Brigadier-General, U. S. Army.

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37 BLEECKER STREET, *New York, February 7, 1865.*

General HUNT:

GENERAL: I venture to ask you to do me the favor to open such of my official letters as shall be sent to your office in my absence, and permit General Beall to read those which contain information of importance to him. Also to perform such acts as admit of no delay in case authority therefor is received by telegraph from General Halleck. Be kind enough to retain unofficial letters until my return.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 7, 1865.

Brig. Gen. S. P. CARTER,
Provost-Marshal-General, Dept. of East Tenn., Knoxville, Tenn.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 19th ultimo reporting certain rebel officers as having violated their parole given to Major-General Stoneman, in failing to report at Knoxville, Tenn., as prisoners of war. Should any of these officers come into your hands in the future you will place them in close confinement and send immediate notice to this office.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 7, 1865.

Col. C. W. HILL, *Commanding Johnson's Island, Ohio:*

COLONEL: The Commissary-General of Prisoners directs that any of the following-named rebel officers who may come into your hands be placed in close confinement and immediate notice be sent to this office, they having violated their parole given to Major General Stoneman to report at Knoxville, Tenn., as prisoners of war: D. H. Lewellyn, major and quartermaster; Benjamin Gillespie, surgeon, Provisional Army, C. S.; George N. Eakin, captain and assistant quartermaster; William Johnson, captain and assistant quartermaster; G. S. Feeny, second lieutenant, Provisional Army, C. S.; J. D. Bushong, second lieutenant, Sixty-second Tennessee Volunteers; J. Q. Arnold, captain Company B, Twelfth Tennessee Cavalry; R. A. Williams, captain and assistant commissary of subsistence; Benjamin P. Morrison, captain Company B, Thirty-seventh Virginia Infantry, and Charles H. C. Preston, lieutenant, Company I, Twenty-second Virginia Cavalry.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

RICHMOND, *February 7, 1865.*

Brig. Gen. JOHN H. WINDER,
Commissary-General of Prisoners, Columbia, S. C.:

SIR: You are doubtless aware that by a recent agreement between the Confederate and Federal authorities all prisoners of war who have been heretofore or now are held in close confinement or irons are to be mutually released and delivered.

General Gardner has directed all such as are at Danville or Salisbury to be sent to Richmond. I will thank you to forward such of the class referred to as are in other prisons to this place as soon as convenience will allow.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 7, 1865.*

Hon. WILLIAM PORCHER MILES:

DEAR SIR: Your note of the 4th instant, respecting Mr. Kenessick, has been received. It has been informally stated to me that a Federal officer (lieutenant, I believe) was paroled at Charleston some two months ago and sent North to procure the release and exchange of Mr. Kenessick. I have not been able to learn by whose authority this was done. Whoever did it acted in direct opposition not only to the instructions of this office, but of the Secretary of War. I also understand that the time in which the exchange was to be effected has expired, and that the Federal officer has not complied with his obligation to return in the event of his not securing the release of Mr. Kenessick. Why this office was not informed of the proceeding I cannot imagine, unless it was supposed that it would not be sustained by our authorities in Richmond. The act was not only a special exchange, but was the exchange of a commissioned officer for a private citizen. In the adjustment of accounts with the Federal agents I should have felt it my duty not to be bound by any such proceeding. As it is, when I can get information as to who the officer was who was sent I shall demand an equivalent for him. I think you will agree with me that, however deserving Mr. Kenessick is, the whole proceeding is a most extraordinary one. It is such acts as these that produce discontent and dissatisfaction both amongst our prisoners and people. When the scales are held equal, and rules and not exceptions govern, our people are satisfied. I am very hopeful that an arrangement is about being made by which all persons captured on the sea and rivers leading to the same will be released. The signs are very favorable. Please let me hear from you in reference to this.

Yours, truly,

RO. OULD,
Agent of Exchange.

T. A. Whitney, relative to his exchange as a blockade-runner.

[Indorsement.]

FEBRUARY 7, 1865.

Returned to Hon. W. P. Miles.

Mr. Whitney is mistaken in supposing blockade-runners have recently been exchanged, unless, indeed, they belonged to the Navy, in which

event they were released on that account under agreement. It is probable that some, through influence at the North, have been released on parole. No such result has happened by reason of any action of the Confederate authorities. As I say in another note to you to-day, I am very hopeful that an arrangement is about being made by which all persons captured on the sea and rivers leading to the same will be released.

RO. OULD,
Agent of Exchange.

GENERAL ORDERS, No. 3. } HDQRS. C. S. MILITARY PRISONS EAST OF MISSISSIPPI RIVER, *Columbia, S. C., February 7, 1865.*

Sutlers at the various prison camps are the only persons authorized to trade with the prisoners. The commanding officers at the various prisons will grant them the permission to purchase U. S. Treasury notes from the prisoners for the use of the Government at the rates to be established by the Quartermaster-General, which until further orders will be $5 in C. S. notes for $1 in U. S. Treasury notes. All trafficking and trading by unauthorized persons must be stopped. Commanding officers will use stringent measures to prevent it, and all persons so offending connected with the post will be placed under arrest and brought before a court-martial. Others will be turned over to the civil authorities for trial.

[JNO. H. WINDER.]

HEADQUARTERS OF THE ARMY,
Washington, D. C., February 8, 1865.

Brig. Gen. H. E. PAINE, *37 Bleecker Street, New York City:*

GENERAL: Major-General Halleck, Chief of Staff U. S. Army, directs me to inform you that General Vance was to be paroled in the same manner as General Beall. You are authorized to select any officer in New York Harbor, with the consent of General Dix, to act in your place during your absence.

Very respectfully, your obedient servant,

J. C. KELTON,
Assistant Adjutant-General.

WASHINGTON, D. C., *February 8, 1865.*

Col. B. F. TRACY,
Commanding Depot Prisoners of War, Elmira, N. Y.:

COLONEL: The Quartermaster-General has referred to this office a letter from Capt. J. J. Elwell, assistant quartermaster at Elmira, in which he reports that he has been obliged by your order to issue U. S. clothing to prisoners of war in consequence of there being no clothing on hand furnished specially for prisoners. The regulations, to which your attention has before been called, prescribe the mode of procuring clothing for prisoners, and if at any time there was an insufficiency on hand to meet the demands, it must be attributed to a want of attention on the part of the commanding officer whose duty it is to see that timely requisitions are made for such clothing as may be required; and when, to meet demands which are occasioned by his neglecting

this duty, he takes upon himself to order the clothing furnished in a mode not authorized, he commits another error. I call your attention to this subject again in the hope that there will be no recurrence of similar irregularities. See my letter of October 5, 1864.

Very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

MILITARY PRISON, *Camp Ford, February 8, 1865.*

COLONEL: Birchett has kindly offered to forward to you any communication I may wish, and I avail myself of the opportunity to inform you of the condition and wants of the prisoners here. I have received the clothing, vegetables, &c., sent through, and distributed the same to the best of my ability, and the camp has now sufficient clothing to render them comfortable, and unless our number is augmented we will need nothing further in that line before the 1st of September next; but if we are to remain here much longer (which God forbid) I wish you to represent to the powers that be that we are in much need of vegetables to counteract the great tendency to scurvy, and if there is a possibility of sending more through to do it. A lot of citric acid also would be very beneficial. We are more troubled with scurvy than any other disease and have very limited means to prevent it, and if we remain here during the spring months I fear it will become alarming.

In regard to exchange we feel a little sore, but hope our turn will come soon, and are confident that the Government will do for us all that can be done without compromising principle or honor.

Respectfully, your obedient servant,

J. M. McCULLOCH,

Captain, Seventy-seventh Illinois Infty., and Prisoner of War.

HEADQUARTERS FORT WARREN,
Boston Harbor, February 8, 1865.

Capt. WRIGHT RIVES, U. S. Army,
Headquarters Department of the East, New York City:

SIR: I have the honor to report that Capt. Frank Battle, Wheeler's scouts, was this day transferred for delivery and sent to Fort Monroe, there to be detained subject to the orders of Lieut. Col. John E. Mulford, agent for the exchange of prisoners, in pursuance of General Orders, No. 6, dated War Department, Adjutant-General's Office, Washington, D. C., January 18, 1865.

Very respectfully, your obedient servant,

H. A. ALLEN,

Major, Second U. S. Artillery, Commanding Post.

OFFICE PROVOST-MARSHAL-GENERAL OF EAST TENN.,
Knoxville, Tenn., February 8, 1865.

Brig. Gen. JOHN C. VAUGHN, C. S. Army,
Comdg. Cavalry, Dept. of West Virginia and East Tennessee:

GENERAL: I have the honor to forward herewith the following-named citizens for release under the agreement made by you and General Carter, viz: Brunnel Bryant, Joel Bouling, William Bruce, J. D. Campbell, Benj. F. Clark, A. B. Cowen, William A. Clarkson, Robert Cragg,

Dan. C. Hurley, A. J. Ish, Hugh Kilson, Samuel L. Kerr, John Murrile, Moses Simpson, Joseph White.

The following are reported as having died at Johnson's Island, viz: John Bise, John Coulton, Samuel Ghormteg, T. Nixon Van Dyke.

The first named were sent here for exchange, but under your agreement with General Carter I suppose they are to be released. A. C. Plumlee and William Hall are held here by the civil authorities and not as hostages.

In regard to the persons mentioned by you in your communication of the 10th ultimo, I would say that Crouch, Scruggs, Lindsay, and Biltenton have been released as I suppose. They are not here. Ramsey gave his parole as first lieutenant and aide de-camp on your staff. Montgomery was a telegraph operator. These two are properly prisoners of war. Sperry, Fox, Goforth, Robinson, Bosang, and Olimegar were not arrested as hostages, but upon some specific offense as I suppose. I am not authorized to make any special exchanges.

Escaped prisoners who left Salisbury, N. C., on the 4th of January last report that the Union citizens held there had not then been forwarded for release. I hope there will be no failure on the part of your authorities in carrying out your agreement.

Hoping soon to receive from you the citizens held by you,

I am, general, very respectfully, your obedient servant,

L. S. TROWBRIDGE,

Lieut. Col. Tenth Mich. Cav. and Pro. Mar. Gen. of East Tenn.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., February 8, 1865.

Brig. Gen. N. B. BUFORD,
Commanding District of Eastern Arkansas, Helena, Ark.:

GENERAL: I am directed by the major-general commanding to acknowledge the receipt of your communication of the 3d instant in relation to Lieutenant Casteel and other rebel prisoners of war recently confined at your post and now forwarded to Fort Monroe, as requested by the Commissary-General of Prisoners. The exchange of these prisoners was specially arranged by General Grant, and they will therefore be sent from here to Fort Monroe by first opportunity. Your letter will be sent to the Commissary-General of Prisoners.

Very respectfully, your obedient servant,

C. T. CHRISTENSEN,

Lieutenant-Colonel and Assistant Adjutant-General.

JOINT RESOLUTION to amend a joint resolution entitled "Joint resolution on the subject of retaliation," approved May 1, 1863.*

Resolved by the Congress of the Confederate States of America, That the fourth, fifth, sixth, and seventh sections of the above-recited joint resolution be, and the same are hereby, repealed, and that the second section be so amended as to omit therefrom the following words, to wit, "or to employ negroes in war against the Confederate States," and to insert in lieu thereof the words, "or to employ our negro slaves in war against the Confederate States."

Approved February 8, 1865.

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*See Vol. V, this series, p. 940.

RICHMOND, *February 8, 1865.*

Brig. Gen. JOHN H. WINDER, *Columbia, S. C.:*

You will without delay forward to Richmond such Federal prisoners of war as have been held in close confinement or in irons within your control with a view to their delivery.

S. COOPER,
Adjutant and Inspector General.

[FEBRUARY 8, 1865.—For report of death of General John H. Winder, see Series I, Vol. XLVII, Part II, p. 1121.]

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 8, 1865.

His Excellency Z. B. VANCE,
Governor of North Carolina, Raleigh, N. C.:

SIR: Your letter of the 1st instant calling attention to the suffering condition of the Federal prisoners at Salisbury has been received. I have the honor to inform you that I have directed the Adjutant-General to cause an inspection to be made of the prison at Salisbury, and have such instructions given the inspecting officer as will enable him to correct the evils complained of.

Very respectfully,

JOHN C. BRECKINRIDGE,
Secretary of War.

RICHMOND, *February 8, 1865.*

Brig. Gen. W. M. GARDNER:

SIR: I am quite sure there are at least two Federal officers who have been placed in close confinement or irons at Danville. Their names are Col. W. R. Hartshorne, One hundred and ninetieth Pennsylvania, and Maj. E. S. Horton, Fifty-eighth Massachusetts. They were put in confinement, by order of the Adjutant-General, in retaliation for Colonel Morris and Major Steele, upon my recommendation. I will be obliged to you if you will have them ordered here. I will also thank you to have a further inquiry made as to Salisbury, so that I can answer, with the fullest certainty, the Federal authorities.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HEADQUARTERS DISTRICT OF NORTHERN ALABAMA,
Near Moulton, Ala., February 8, 1865.

Brig. Gen. R. S. GRANGER,
Commanding U. S. Forces, District of Northern Alabama:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 31st instant [ultimo], inclosing telegram from Major-General Thomas, U. S. Army, by flag of truce. Immediately on the receipt of your communication I sent Captain Hammond, of my staff, south after the prisoners my command had captured, and expect his return with them as soon as practicable. I have sent for enough prisoners to complete the exchange for all of my men and think they

will arrive as soon as you will probably get my men to Decatur. I send by Lieutenant Browne, my aide-de-camp, ten prisoners, which will be delivered to you, an equivalent to be delivered, if you have them, at Decatur; if not, when you have them. My regimental commanders report 16 officers and 355 men captured by the U. S. forces. I will have an equivalent number of U. S. prisoners here as soon as possible. Below I give the information asked for in the telegram:

Williams' and Warren's battalions, now Burtwell's regiment Alabama cavalry. Fourth Alabama Regiment Cavalry (Johnson's regiment), Moreland's regiment cavalry. Tenth Alabama Regiment Cavalry, Pickett's regiment. Fifth Alabama Regiment Cavalry, Patterson's regiment. Stuart's battalion Alabama cavalry; Newsom's company cavalry; Roddey's escort company cavalry; Sleeth's company cavalry; Ferrell's battery horse artillery.

Very respectfully, your obedient servant,

P. D. RODDEY,
Brigadier-General, Commanding.

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75 MURRAY STREET, *New York, February 9, 1865.*

Brigadier-General HUNT, U. S. Volunteers, *Present:*

GENERAL: I have the honor to state that since nothing has been heard from the 170 bales of cotton received by Capt. Frank G. Noyes, U. S. Army, under the late agreement between General Grant and Colonel Ould to supply prisoners of war and transshipped as per remarks as follows on bill of lading:

U. S. S. TRANSPORT ATLANTA, *Mobile Bay, January 16, 1865.*

Owing to the incapacity of the steamer Atlanta to carry all the articles named within, 170 of the bales mentioned have been this day transferred to the assistant quartermaster, U. S. Army, Fort Morgan, Ala., for shipment to me at New York.

FRANK G. NOYES,
Captain and Commissary of Subsistence, U. S. Army.

I would respectfully ask that the honorable Secretary of War give an order to have the same quantity of cotton turned over to me at this place and that the cotton turned over to quartermaster at Fort Morgan be kept by the United States. I have in my possession the weight and classification of the cotton shipped from Mobile. I make the foregoing request from the fact that till the cotton is received and turned into funds it is impossible for me to arrange and make purchases of supplies under my instructions.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

[Indorsement.]

33 BEEKMAN STREET, *New York, February 13, 1865.*

The within communication having been shown me by Brigadier-General Beall, with a request that I indorse the same, I respectfully state that the only objection I see to making the arrangement asked for herein by Brigadier-General Beall is the difficulty of ascertaining the correct weight and classification of the 170 bales of cotton turned over by me to the assistant quartermaster at Fort Morgan for shipment to me at this city.

The cotton received by me from General Maury January 13, ultimo, in Mobile Bay, was in very bad condition, many of the bales being torn open, the roping broken, and there being consequently a large quantity of loose cotton. The marks on many of the bales were illegible. I was therefore unable to sign bills of lading for a stated number of pounds of cotton, but only for a certain number of bales in bad order and condition and with marks illegible. I loaded the transport Atlanta to her full capacity, and in addition to her cargo of whole bales put all the loose cotton from the entire number of bales received by me from General Maury on board of her, and turned over the remaining 170 bales to the assistant quartermaster at Fort Morgan, for shipment to me at New York, through Captain Perkins, assistant quartermaster, in charge of water transportation, New Orleans, La. It is therefore probable that the average weight of the 830 bales brought here by me on the Atlanta (arriving at New York January 24, ultimo) and turned over to Brigadier-General Beall is greater than the average weight of the 170 bales yet to arrive. It also seems probable that the bad condition of the cotton when received by me, and its frequent handling since it was invoiced to Brigadier-General Beall by General Maury, may have reduced its classification and consequent value. If these difficulties can be obviated, I respectfully recommend that the request of Brigadier-General Beall be granted. It may be proper for me to state that the 170 bales of cotton were loaded at Fort Morgan on the U. S. schooner Highlander, and that the master of that schooner had received his sailing orders for New Orleans on the day I left Mobile Bay, to wit, January 16, ultimo, and that on the same day I wrote Col. S. B. Holabird, chief quartermaster, Department of the Gulf, New Orleans, explaining to him the whole matter and requesting him to see that the 170 bales were forwarded to me at New York without delay.

FRANK G. NOYES,
Captain and Com. of Sub., Major-General Granger's Staff.

WASHINGTON, D. C., *February 9, 1865.*

Hon. ALEXANDER RAMSEY, *U. S. Senator, Washington, D. C.:*

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, requesting suggestions as to the best means of expending certain money in the hands of His Excellency the Governor of Minnesota for the benefit of such soldiers from Minnesota as may be in the hands of the rebels. I regret that I am unable to give you any information as to where the prisoners from Minnesota held by the rebels may be found, and I fear you will find it impossible to fix upon any plan by which money may be disbursed for their benefit while they remain in Southern prisons. But there is an expectation that a large number of prisoners will very soon be delivered at Annapolis on parole, all of whom no doubt will be in a very destitute condition, and I would respectfully suggest that a small amount of money might be advantageously expended for the Minnesota men there. Arrangements have been made to provide for the immediate wants of prisoners on their arrival, and to pay them as soon as possible the pay that is due and their commutation of rations, so that they will be only a few days without the means of purchasing such articles as they may wish.

I am, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 9, 1865.

Col. ERNEST W. HOLMSTEDT, *Commanding Ship Island, Miss.:*

COLONEL: I have the honor, by direction of the Commissary-General of Prisoners, to acknowledge the receipt of the weekly inspection report at Ship Island for the weeks ending December 31 and January 7. The clothing received from the military authorities at New Orleans should not be issued to prisoners, as arrangements have been made between the United States Government and the rebel authorities by which each is to furnish its own prisoners with necessary supplies. Brig. Gen. H. E. Paine, U. S. Volunteers, who has the matter in charge, has been notified that clothing and blankets are required for the use of the prisoners at Ship Island. Inclosed is a copy of General Orders, No. 3, from this office for your information.*

I am, colonel, very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

OFFICE OF THE PROVOST-MARSHAL,
POST AND DEFENSES OF MEMPHIS,
Memphis, Tenn., February 9, 1865.

Brig. Gen. H. W. WESSELLS, U. S. Volunteers,
Inspector and Commissary-General of Prisoners:

SIR: I have the honor to return herewith the report† of prisoners of war for five days ending January 15, 1865, with the following explanation: Those persons opposite whose names is written the word Federal were formerly Federal soldiers but enlisted from the military prison at Andersonville, Ga., in the Tenth Tennessee Infantry and were captured by Brigadier-General Grierson on the expedition from this place to Vicksburg, 28th of December, 1864. The general commanding directed that they should be reported as prisoners of war with others captured at the same time. I have also added the names of seven prisoners found on the roll of prisoners forwarded and not inserted on this.

I have the honor to be, sir, very respectfully, your obedient servant,

W. R. LACKLAND,
Lieut. Col. 108th Illinois Infantry and Provost-Marshal.

WINCHESTER, *February 9, 1865.*

Capt. W. H. WIEGEL, *Provost-Marshal, Baltimore:*

The sixteen prisoners forwarded you January 30 will be sent at once to Fort McHenry as guerrillas, not to be exchanged during the war.

By order of Major-General Sheridan:

E. B. PARSONS,
Assistant Provost-Marshal-General.

U. S. MILITARY PRISON,
Rock Island, Ill., February 9, 1865.

His Excellency JEFFERSON DAVIS,
President of the Confederate States:

We, the undersigned, in behalf of a large number of the prisoners confined at this place, respectfully ask your approval and sanction to

* See Vol. VII, this series, p. 1230. † Omitted.

certain acts which they felt justified under the circumstances to perform. This prison was opened December, 1863, by the incarceration of the Lookout Mountain and Missionary Ridge prisoners. The first arrival was on the 3d of that month, the others as speedily as could be transported. But a short time afterward was issued the notorious amnesty oath proclamation of Abraham Lincoln, and a call upon the prisoners for volunteers for the naval service of the United States. So great was the response to that call from this prison that every loyal man felt it his most urgent duty to use every means within his reach to counteract that influence, and if possible prevent any others from taking the fatal step. For that purpose and that alone a consultation was held by the loyal men, and by them it was thought best to re-enlist into our service all who could be prevailed upon to do so, and accordingly upon the 7th of January, 1864, we commenced to enlist them into the cavalry service (it being the only service in which a large majority were willing to re-enlist) and have continued to do so to the present time. We have enlisted about 1,300 men, and organized into companies of 130 each, and we now ask Your Excellency's favorable consideration for the following reasons:

They have endured the privations of more than a year's imprisonment. They have manfully resisted the repeated attempts of the enemy either to persuade them by flattering offers or drive them by starvation into his service, or an acceptance of the amnesty oath. That all the men enlisted are those whose terms of service have or will have expired this spring. That the only object for which the enlistment and organization was first instituted was to preserve the loyalty of the prisoners. That they now earnestly desire to continue the same if it is not detrimental to our service.

For the above reasons they hope Your Excellency will grant the prayer of—

Your humble petitioners,

THOS. A. COCKE.
CHAS. H. ROBERTSON.
A. D. WALLACE.
JAS. W. PERKINS.
D. A. TOADVINE.
G. U. B. JEFEVAT.
W. G. ALLEN.
W. J. PERRYMAN.
JAMES L. GOODLOE.
MARTIN D. MORGAN.

[Indorsement.]

Respectfully referred by direction of the President to the Honorable Secretary of War.

BURTON N. HARRISON,
Private Secretary.

COLUMBIA, *February 9, 1865.*

General S. COOPER:

Yesterday's telegram received. We have no prisoners of the kind.

H. FORNO,
Colonel, Commanding.

RICHMOND, *February 10, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: The Confederate authorities desire to send from Mobile an additional supply of 1,500 bales of cotton, to be disposed of by our

agents in New York for the benefit of our prisoners. The cotton will be ready for delivery at an early day. I will thank you to instruct your military authorities near Mobile to notify Major-General Maury of the time when they will be ready to receive it.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HEADQUARTERS U. S. MILITARY PRISON,
Camp Morton, near Indianapolis, Ind., February 10, 1865.

Capt. W. T. HARTZ,
Asst. Adjt. Gen., Office Com. Gen. of Prisoners, Washington, D. C.:

CAPTAIN: I have the honor to report that, in pursuance of instructions received by telegram from the Commissary-General of Prisoners, dated Washington, D. C., February 4, 1865, I have carefully examined all prisoners of war confined in this camp from the five States mentioned in said telegram, viz, Missouri, Kentucky, Tennessee, Arkansas, and Louisiana, 1,882 in number, and can find out of that number but 366 who want to go on exchange. The remaining 1,516 express freely their desire to remain in prison until such time as they can be released by taking the oath as prescribed in the President's proclamation, December 8, 1863.

I am, sir, very respectfully, your obedient servant,

A. A. STEVENS,
Colonel Fifth Regt. Vet. Reserve Corps, Comdg. Camp Morton.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 15, 1865.

Respectfully referred to Maj. Gen. H. W. Halleck, Chief of Staff, for his information.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[Second indorsement.]

FEBRUARY 15, 1865.

The Secretary of War directs that those who do not wish to be exchanged be retained at camp until further orders.

H. W. HALLECK,
Major-General and Chief of Staff.

OFFICE EXCHANGE OF PRISONERS,
Mobile, February 10, 1865.

Col. C. C. DWIGHT, *Agent of Exchange, New Orleans:*

COLONEL: I have the honor to acknowledge the receipt of your communication of 30th of January, and to thank you for the inclosed permission to three children of Mrs. Cobb to pass into your lines.

I would request that, to avoid unnecessary delay in the bay, you notify me a day or two in advance of your coming with the prisoners whom you are to deliver to me. I have not been advised of the delivery of Admiral Buchanan into our lines, but trust and suppose that his delivery will be made previous to or at least simultaneously with the delivery by Major Szymanski of the naval prisoners whom he holds in Texas. I trust that you will also deliver to me the prisoners whom you

hold belonging to the Fort Gaines garrison, and still remaining on Ship Island and in New Orleans. As some time may elapse before you can make the delivery of the naval prisoners, I would request that the balance of the Fort Gaines garrison, just referred to, be delivered to me as soon as possible.

I am, colonel, very respectfully, your obedient servant,

JAMES R. CURELL,
Major and Assistant Agent of Exchange.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 10, 1865.

General D. H. MAURY, *Mobile, Ala.:*

Under the arrangement with General Grant, send out, through N. Harleston Brown, 1,500 bales cotton on notice of Federal authorities of readiness to receive. Allow no delay.

J. C. BRECKINRIDGE,
Secretary of War.

RICHMOND, *February 10, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

SIR: Lieut. S. B. Davis, of Maryland, formerly in charge of our prisoners of war at Andersonville, Ga., who in the latter part of December was sent to Canada with important dispatches, and was arrested on his way back and tried as a spy, has, I understand, been condemned to be executed on the 17th instant. Of course our Government has promptly taken the steps necessary to avert the fate with which he is threatened by a stern assurance of retaliation, but it is the life of a gallant and devoted young officer that hangs on that one chance, and in the deeper rancor, the more desperate policy which it is to be expected will henceforth prompt every act of the enemy, that chance may fail. I believe it is in my power to procure his reprieve (for a time long enough to enable him to produce incontestable evidence that he was in no sense of the word a spy, but in good faith merely a Government messenger *in transitu* on allowable business) by simply writing two letters, on my individual responsibility, to two persons occupying confidential and influential positions at Washington, and having at all times the ear of the President of the United States, the letters, if approved by you, to be forwarded by flag of truce to-morrow. Believing this, it is plainly my duty, at whatever risk of appearing officious, to solicit a brief interview with you this morning for the purpose of laying the particulars of my proposition before you.

Hoping it may be your pleasure to receive me, I shall await your instructions at the office of the Second Auditor of the Treasury until 3 o'clock, and after that hour at the office of the Signal Corps, and I have the honor to remain, sir,

Most respectfully and faithfully, your obedient servant,

J. W. PALMER.

[Indorsement.]

Mr. Davis is first lieutenant, Provisional Army, C. S., and is aide-de-camp of General Trimble. He was captured in Ohio about three weeks ago, and Northern papers stated at the time was to be tried as a spy.

R. G. H. KEAN,
Chief of Bureau of War.

RICHMOND, *February 10, 1865.*

Brig. Gen. G. J. PILLOW, *Montgomery, Ala.:*

Relying on your known patriotism, intelligence, and capability to conduct an important branch of the public service, the President has directed your assignment as Commissary-General of Prisoners. It will be announced in general orders. I give you this early information that you may be enabled to make your arrangements to assume the duties of the office with the least practicable delay. Meantime Brigadier-General Gardner will take temporary control of the prisoners east of the Savannah River.*

S. COOPER,
Adjutant and Inspector General.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Va., February 10, 1865.

Capt. T. W. HALL,
Assistant Inspector-General, Salisbury, N. C.:

CAPTAIN: I inclose herewith a letter from Governor Vance,† upon which General Breckinridge, Secretary of War, has directed an inspection to be made. As you are engaged in an inspection of Salisbury, be pleased to make a full report of the condition of the Yankee prisons, the condition of the prisoners, &c., and call the attention of General Johnson to evils which can be corrected at once, and of those requiring the action of the Department advise me at once, in order that the necessary orders may be issued. State causes leading to the apparent inhumanity reported by the Governor as existing amongst the prisoners. As early and full a report as you can make is desired, with as little delay as possible.

I am, captain, respectfully, your obedient servant,

R. H. CHILTON,
Assistant Adjutant and Inspector General.

[Indorsement.]

SALISBURY, N. C., *February 17, 1865.*

Respectfully transmitted with letter of Governor Vance inclosed and accompanying report of inspection as ordered.‡

T. W. HALL,
Assistant Inspector-General.

HEADQUARTERS CAMP CHASE,
Near Columbus, Ohio, February 11, 1865.

Col. W. P. RICHARDSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 11, 1865:

Conduct—good. Cleanliness—fair. Clothing—sufficient. Bedding—good. State of quarters—good. State of mess-houses—perfect. State of kitchen—perfect. Food, quality of—good. Food, quantity of—sufficient. Water—good and sufficient. Sinks—in good condition. Police of grounds—perfect. Drainage—good. Police of hospital—perfect.

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* For Pillow's reply, see Series I, Vol. XLVII, Part II, p. 1174.
† See Vance to Seddon, February 1, p. 167.
‡ See p. 245.

Attendance of sick—sufficient. Hospital diet—good. General health of prisoners—improving. Vigilance of guard—unexceptionable.

Remarks and suggestions.—A complete and full amount of hospital and other accommodations have been furnished to accommodate all sick and wounded with good ward-masters and nurses; even with all this care [we] will not in all cases prove successful in reviving the wasted fragments of Hood's army. The only improvement now needed is larger wash-room in Prison No. 3, should it be necessary to provide for the present number of prisoners, but as the number is being diminished the necessity is at once obviated. The number and capacity of wards at prison hospital are such as to require a wash-room of larger size, unless as there will no doubt by exchange so lessen the number of patients that there will be no need for additional room.

Very respectfully, your obedient servant,

E. K. ALLEN,
Captain, Eighty-eighth Regt. Ohio Vol. Infty., Inspecting Officer.

[Indorsement.]

Inspecting officer's report approved. No additions to make.
Respectfully referred to the Commissary-General of Prisoners.

W. P. RICHARDSON,
Colonel Twenty-fifth Ohio Volunteer Infantry, Comdg. Post.

RICHMOND, *February 11, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: I propose to deliver to you by James River, Wilmington, or any other practicable points, all the Federal prisoners now in our custody without delay, upon receiving an assurance from you that you will deliver an equal number of Confederate prisoners within a reasonable time. Of course I would prefer that such reasonable time should be as early a day as will be practicable or convenient to you.

I can deliver to you at Wilmington 1,000 prisoners per day, commencing at any early date you may designate. I can have even a larger number in readiness at any named day. Deliveries of a like number per day can be made at Cox's Wharf, on James River, at the same time. I will be obliged to you for an early answer.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

CAMP OF NATIONAL PRISONERS,
Near Tyler, Tex., February 11, 1865.

Maj. Gen. E. R. S. CANBY,
Commanding Military Division of West Mississippi:

GENERAL: The undersigned, officers of the U. S. Army, held as prisoners of war at this camp, take the liberty of addressing you, desiring to call your attention to the fact that there are officers of our army now held at this place and at the guard-house in Shreveport who we are assured are held by the Confederate authorities as punishment for attempting to escape to our own lines. We have always supposed that it was the right and duty of a prisoner of war to make his own escape when possible, and that it was contrary to all rules and usages of civilized warfare to punish him for so doing. Major Bering and Lieutenant Srofe, of the Forty-eighth Ohio Infantry, are among the oldest prisoners in camp. They were in Shreveport when their regiment passed through Shreveport for exchange in October last. Major McCauley, of the First Indiana

[Cavalry], and Lieutenants Flemming and Fulton, of the Seventy-seventh Ohio Infantry, are now and have been for some time in the guard-house at Shreveport for attempting to escape. Their regiments are now going forward for exchange, but the agent of exchange refuses to send them forward. Being the oldest prisoners here we expected to have gone on this exchange, as we supposed it was the rule of our Government to exchange the oldest captures first, but, as it seems not to be, we would endeavor to exchange ourselves, cheerfully undergoing all the hardships and dangers of an attempt to travel some 400 miles through the enemy's country were we assured that we would be protected in so doing by our authorities. It is poor encouragement if we know that when recaptured and our regiments are exchanged we are retained in prison. We are sure it is only necessary to call your attention to the matter to have it corrected. We shall look anxiously for the action of our Government in the cases referred to.

Respectfully,

J. A. Bering, major Forty-eighth Regiment Ohio Volunteer Infantry; William Prescott, captain, One hundred and thirtieth Illinois Volunteers; John W. Watts, captain, One hundred and thirtieth Illinois Volunteers; P. H. White, captain Mercantile Battery; J. H. Stevison, captain, Seventy-seventh Illinois Infantry; Elias Fraunfelter, captain, One hundred and twentieth Ohio Infantry; Thomas Hughes, first lieutenant and regimental quartermaster, Twenty-eighth Iowa Infantry; William B. Milliken, first lieutenant, One hundred and twentieth Ohio Infantry; Harvey Applegate, first lieutenant, One hundred and twentieth Ohio Infantry; Samuel P. Dill, captain, One hundred and seventy-third Regiment New York Volunteers; Henry J. Wyman, first lieutenant, Seventy-seventh Illinois; Charles Nolton, first lieutenant, One hundred and seventy-third New York Volunteers; A. H. Hazlett, first lieutenant, Fourteenth Iowa Infantry; J. M. McCulloch, captain, Seventy-seventh Illinois Infantry; Thomas Sheridan, captain Company K, Eighty-seventh Illinois; David Mefford, captain, Sixth Kansas Volunteer Cavalry; John M. Defriese, second lieutenant, Sixth Kansas Volunteer Cavalry; T. S. O'Conner, first lieutenant, Second Indian Regiment; Gaza Haraszthy, Company B, Eighteenth New York Cavalry; G. S. Goodwin, first lieutenant, Seventh Missouri Cavalry; B. Hitchcock, first lieutenant, First Kansas Colored Volunteer Infantry; S. S. Edwards, first lieutenant, Seventy-seventh Illinois Volunteers; C. W. Johnson, first lieutenant, One hundred and thirtieth Illinois Volunteers; George W. Huston, first lieutenant and regimental quartermaster, Fourteenth Kansas Cavalry; R. S. Taylor, first lieutenant, One hundred and thirtieth Illinois Volunteers; J. W. Paulen, first lieutenant, One hundred and thirtieth Illinois Volunteers; W. C. Harned, first lieutenant, One hundred and thirtieth Illinois Volunteers; W. C. Pool, first lieutenant, One hundred and thirtieth Illinois Volunteers; C. A. Payne, first lieutenant, Eighteenth New York Cavalry; P. S. Cone, lieutenant, Chicago Mercantile Battery; C. F. McCulloch, second lieutenant, Seventy-seventh Illinois; W. J. Srofe, first lieutenant, Forty-eighth Ohio Volunteers.

HEADQUARTERS CAVALRY EAST TENNESSEE,
Bristol, February 11, 1865.

Brig. Gen. ALVAN C. GILLEM, U. S. Army:

GENERAL: There are several officers of your command confined in the different military prisons in the South. I am willing to give any captain that belongs to your command that the Confederate authorities hold for Captain Reynolds, who is confined at Knoxville in irons.

Your early reply is earnestly solicited.

I am, very respectfully, your obedient servant,

JOHN C. VAUGHN,
Brigadier-General, C. S. Army.

RICHMOND, *February 11, 1865.*

Brig. Gen. WILLIAM M. GARDNER,
Acting Commissary General of Prisoners:

SIR: You are aware that by a recent agreement all prisoners of war who heretofore have been or now are held in close confinement or irons are to be mutually released and delivered. As the number held by the enemy is much larger than that held by us, it is very important that the arrangement should be fully carried out. I will, therefore, be much obliged to you if you will send orders to each prison where the Federal prisoners of war are confined, whether they be in State jails or Confederate prisons, directing, first, the release of all such parties, and secondly, that they be forwarded without delay to Richmond. There is one, a Capt. Shad. Harris, of Tennessee, for whom the Federals have particularly asked. I do not know where he is confined. He is sentenced to hard labor for the war. I think there are probably others in some of our Southern jails or prisons.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 11, 1865.*

Lieut. Col. WEST STEEVER, *Columbus, Miss.:*

Your favor of the 18th ultimo has been received. It is impossible from the data which you give for me to determine whether the parties named in the list you send me are exchanged or not. The material fact is the date of capture, and that is not given. Moreover, if these parties were released on parole upon capture, they are not bound by the parole. This is true of all the cases except the Vicksburg capture. The practice of both belligerents is not to recognize the validity of any parole unless the party was kept in possession and delivered by flag of truce at some point previously agreed upon by competent parties. The only exception to this rule is the Vicksburg capture, because there the paroles were given by agreement between "the commanders of two opposing armies." By this rule and date of capture, taken in connection with the published exchange notices, you can determine all the cases presented in your list.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[FEBRUARY 11, 1865.—For Beauregard to Cooper (two dispatches) recommending removal of Union prisoners from Columbia and Florence, see Series I, Vol. XLVII, Part II, pp. 1156, 1157.]

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., February 12, 1865.

Col. B. F. TRACY, *Commanding Post:*

COLONEL: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 11, 1865:

Conduct—good. Discipline—excellent. Cleanliness—remarkably clean as regards quarters, considering the low temperature of the past week: as regards the men they look very neat and clean, each man being punished who presents himself at inspection with untidy face or hair. Clothing—decidedly deficient, but is now being corrected by the distribution of clothing from the Confederate authorities. Bedding—prisoners have no bedding except the boards and their blankets. State of quarters—in good condition, tight and warm. State of mess-houses—clean and warmed comfortably. State of kitchen—clean, and everything systematized. Food, quality of—good. Food, quantity of—prisoners' ration. Water—plenty and good. Police of grounds—moderately good, but not enough carts furnished. Drainage—good. Police of hospital—excellent. Attendance of sick—all that can be desired up to date, but the exchange of the prisoners interferes with the arrangements of the surgeon in charge, as some had been physicians in civil life, and were used as such to attend the prisoners. Hospital—the quarters devoted to hospital purposes are decidedly insufficient; from twelve to twenty sick men are compelled to remain in their usual quarters for want of accommodation in the hospital. Hospital diet—all that is required, as far as I can judge. General health of prisoners—very bad; increase of sickness principally caused by the arrival of the Fort Fisher prisoners, of whom more than half are sick. Vigilance of guard—the guard are very vigilant indeed.

Remarks and suggestions.—I would respectfully recommend that a greater number of police carts be supplied and that more room for hospital purposes be furnished.

Very respectfully, your obedient servant,

JAMES R. REID,
Lieutenant, Tenth U. S. Infantry, Inspecting Officer.

U. S. MILITARY PRISON,
Camp Morton, Indianapolis, Ind., February 12, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 11, 1865:

Conduct—good. Cleanliness—good. State of clothing—good. Bedding—good. State of quarters—kept as well policed as is possible. State of mess-houses—have none. State of kitchen—good. Food, quality of—first-class. Food, quantity of—sufficient, being in accordance to orders. Water—sufficient. Sinks—sufficient for the cold

weather. Police of grounds—thorough. Drainage—complete. Police of hospitals—good. Attendance of sick—good. Hospital diet—first class. General health of prisoners—bad. Fatality—great. Vigilance of guard—very strict.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieutenant, Veteran Reserve Corps, Inspecting Officer.

CHICAGO, *February 12, 1865.*

Brevet Brigadier-General HOFFMAN,
Commissary-General of Prisoners:

If prisoners of war make application to take the oath and be released and refuse to be exchanged, will they be released, and when? Probably one-third would so refuse if official assurance can be given that they will be released within a reasonable time.

B. J. SWEET,
Colonel, Commanding.

RICHMOND, *February 12, 1865.* (Received 13th.)

General BRAGG:

It is necessary to move prisoners from Florence—about 10,000. Can they be accommodated at or near Wilmington? Colonel Ould will probably exchange them at that point in about two weeks.

By order:

J. A. CAMPBELL.

[Indorsement.]

General HOKE:

General Bragg ought certainly to be now in Richmond, and will there determine this subject, I should think.

_____ _____,
Acting Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 12, 1865.

General G. T. BEAUREGARD, *Columbia, S. C.:*

Order commandant of prison at Columbia to remove Federal officers to Charlotte.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, February 12, 1865.

POST QUARTERMASTER, *Charlotte, N. C.:*

Make immediate preparations for the reception of 1,800 Federal officers.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 12, 1865.

General HOLMES, *Raleigh, N. C.:*

Colonel Forno has been ordered to remove prisoners from Florence to some other point. He was directed to communicate with you. Give him such assistance in supplies and guards as may be in your power.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

RICHMOND, *February 12, 1865.*

General W. M. GARDNER, *Commanding, &c., Richmond, Va.:*

GENERAL: The Secretary of War directs that you take measures to remove immediately the Federal prisoners now at Columbia and Florence, S. C., to points farther north. For example, Charlotte and Raleigh, N. C.

H. L. CLAY,
Assistant Adjutant-General.

HEADQUARTERS POST, *Salisbury, N. C., February 12, 1865.*

His Excellency Z. B. VANCE, *Governor of North Carolina:*

GOVERNOR: On arriving yesterday I found yours of 16th ultimo and 1st instant, which have heretofore been replied to by Captain Booth, assistant adjutant-general. I avail myself of my first time to acknowledge personally your liberal offer. Colonel Hoke informs me that the condition of the reserves is greatly ameliorated, but they still want clothes. I think 350 outfits will do—jackets, pants, shirts, drawers, shoes, stockings, and caps. Please to order them sent to Captain Goodman, post quartermaster, and have an invoice sent me also, so that I can see they are properly applied to your reserves exclusively. No one can feel more acutely than I do the condition of the prisoners of war here. It is disgraceful to our country. Captain Booth's letter showed you that as to food I feel they were well supplied, but they suffer for clothes and shelter. General Winder proposed removing them before Christmas, and therefore forbade any buildings to be erected here. A large per cent. have therefore lived in holes in the ground. Were I to attempt to erect barracks here spring would come in before they could be finished. I must therefore try to get tents. Can you lend me or procure for me in Raleigh 150 or 200 wall-tents? If so, pray send them on at once. I recently visited Richmond for the main purpose of pressing on our authorities our duties to ourselves and these people, laying before them the terrible suffering and mortality among them. I have procured from the Federal officer for distributing goods in Richmond 3,500 blankets, which will be here to-morrow. With the tents, their condition will be tolerable, but nothing will alleviate it but speedy exchange. In Richmond, and since from Vice-President Stephens, I learned that General Grant is willing to receive from us 3,000 per week. I have telegraphed General Gardner, at Richmond, urging him to press the immediate delivery of all the prisoners in North and South Carolina at Wilmington. This could be done from Florence and Columbia, S. C., by the Manchester road, and from here by way of Raleigh, without encumbering our transportation. If this is not done speedily the prisoners from Columbia will have to be moved up here or to Greensborough, and those from Florence toward Raleigh, and thus North Carolina will have to subsist 20,000 more men, eating up sup-

plies which should go to Richmond. In case of the evacuation of Wilmington, no distant contingency, and the possession of Columbia by the enemy, equally possible, the prisoners at Florence are cut off, and can only be extricated by a march through central North Carolina on Raleigh, which will expose your people to more depredations than from the march of a hostile column. These considerations will, I doubt not, induce Your Excellency to join with me in urging the Confederate authorities to consent to an immediate delivery of these prisoners at the most convenient point. Grant proposes to take his men and deliver ours, both parties to be on parole. I think he never intends to exchange them so as to allow our men to go back to our army. On this our authorities may stick, but we ought to agree to it at once. The prisoners here eat our rations and keep men out of the field to guard them. They are a terrible burden. It would be better to send them home at once on parole. But the men we get back will go home, reinvigorate the population for the war, work, help to raise provisions, and, in case of emergency, defend themselves by guerrilla war, of which right no parole can deprive them. It would be better to have them in our army, but, failing that, let us have them at the plow, with the rifle in the fence corner. I press this upon you, for if these people are not turned over to their own authorities they will be pressed back into North Carolina, which will have to subsist three armies—the Confederate, the Federal, and the neutral, more terrible than either.

Your obedient servant,

BRADLEY T. JOHNSON,
Brigadier-General.

SALISBURY, N. C., *February 12, 1865.*

Brig. Gen. W. M. GARDNER, *Richmond:*

It is impossible to subsist any larger number of prisoners than are at this post. Those at Columbia ought to be removed. I urge that they be delivered immediately for parole. Wilmington will be the most convenient point for them and those at Florence. Please press this matter.

BRADLEY T. JOHNSON,
Brigadier-General.

SALISBURY, N. C., *February 12, 1865.*

Brigadier-General MARTIN, *Raleigh:*

I have received information from Secretary of War and other sources that this post is threatened with attack from Knoxville. It is said that a large number of deserters are collecting in Yadkin for an attack here. A few cavalry will disperse them.

BRADLEY T. JOHNSON,
Brigadier-General.

COLUMBIA, S. C., *February 12, 1865.*

General BRAXTON BRAGG, *Wilmington, N. C.:*

General Beauregard urges instant removal of Federal prisoners from Florence to Andersonville. I cannot get troops to guard them en route. Can you loan 500 men to go as guard? They shall be promptly returned.

H. FORNO,
Colonel, Commanding.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., February 12, 1865.

Lieut. Col. J. M. OTEY,
Assistant Adjutant-General, Department of the West:

COLONEL: Rumors are rife of a raid by the enemy upon this place, and I have been unable to procure any definite information to guide me in the course of action to adopt. There are 1,200 Federal officers, prisoners of war, in the Asylum prison at this place, respecting whose safe-keeping I am exceedingly anxious. I respectfully request that you will submit this letter to General Beauregard and solicit the general's advice as to the course to be adopted for the security of the prisoners.

I am, colonel, very respectfully, your obedient servant,

H. FORNO,
Colonel, Commanding.

COLUMBIA, *February 12, 1865.*

Brig. Gen. B. T. JOHNSON:

General Beauregard advises instant removal of prisoners from Florence and this place to Southwestern Georgia. Telegraph your orders.

H. FORNO,
Colonel, Commanding Prisoners.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., February 12, 1865.

Capt. G. W. BOOTH,
Assistant Adjutant-General, Salisbury, N. C.:

CAPTAIN: Your telegram from Salisbury announcing that General B. T. Johnson has been assigned to command of the prisons in South Carolina has been received and answered by telegraph. I would desire to state that under the direction of the Secretary of War a prison is being constructed at Killian's Mills, eleven miles from here, on the Charlotte Railroad. The work is being urged forward as rapidly as possible, and the prison will be ready for the reception of over 15,000 prisoners in ten days.

I am endeavoring to remove the prisoners from Florence to this point, but cannot at present do so for want of troops to guard them *in transitu*. There are 7,000 enlisted men there under command of Lieutenant-Colonel Iverson, and nearly 1,200 officers here under command of Maj. E. Griswold. I am at present exercising command over both.

I am, captain, very respectfully, your obedient servant,

H. FORNO,
Colonel, Commanding.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Columbia, S. C., February 12, 1865.

Doctor STEVENSON, *In charge Camp Maxey Gregg:*

DOCTOR: Colonel Forno desires that you cease work on the stockade and prepare everything for an immediate move. You will be called on for the impressed negroes by General Wade Hampton, and will turn over with them the tools and cooking utensils needed. The Yankee negroes will be put to work getting wood to railroad for use by

prisoners here pending removal Keep two wagons for this purpose, and send everything else with the tools, &c., to Captain Richardson here.

I am, doctor, very respectfully, your obedient servant,

WM. G. BARTH,
Assistant Adjutant-General.

NAVY DEPARTMENT, *Washington, February 13, 1865.*

Lieut. Gen. U. S. GRANT, *City Point, Va.:*

DEAR SIR: I inclose herewith a letter from several of our officers who are now confined in Libby Prison and ask that their cases may be brought up for exchange. With one exception—that of Acting Master Shulze—they were engaged in the destruction of the rebel ram Albemarle, on which occasion they were captured. They are brave and deserving fellows, and I hope you may be able to effect their exchange.

Yours, truly,

G. V. FOX.

[Inclosure.]

LIBBY PRISON, *Richmond, Va., January 30, 1865.*

Commander F. A. PARKER, *Commanding Potomac Flotilla:*

SIR: My brother officers confined here in Libby have requested me to write the inclosed letter to the Department. You would greatly oblige us by sending the letter to the Secretary and say a few words in our favor. We would then be certain of a speedy exchange. Oh, sir, if you could only see this *ne plus ultra* of misery here for one moment you would not hesitate.

I am, sir, very respectfully, your obedient servant.

G. C. SHULZE,
Acting Master, U. S. Navy.

[Sub-inclosure.]

LIBBY PRISON, *Richmond, Va., January 30, 1865.*

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.:

SIR: I am informed by Brig. Gen. Joseph Hayes, U. S. Army, who has just had an interview with Mr. Ould, the Confederate commissioner of exchange, that the Confederate authorities would immediately exchange all naval prisoners of war held by them if the Federal Government would send their equivalents. Only six naval officers are now in the hands of the Confederate authorities, viz: Actg. Master G. C. Shulze, U. S. S. Yankee; Actg. Asst. Paymaster F. H. Swann (sick), Otsego; Actg. Ensign W. L. Howorth, Monticello; Actg. Master's Mate Thomas S. Gay (sick), Otsego; Actg. Asst. Engineer Charles L. Steever (sick), Otsego; Actg. Asst. Engineer William Stotesbury (sick), picket boat No. 1. The sick are paroled and will probably go North in the first flag of truce; all sailors and marines (thirteen), are also paroled. As we are all eager to be in active service under our glorious old flag again, the remaining officers have requested me to bring this to your favorable notice.

Very respectfully, your obedient servant,

G. C. SHULZE,
Acting Master, U. S. Navy.

CIRCULAR, No. 2. } OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 13, 1865.

By authority from the Secretary of War sutlers at the several prison stations will be permitted to sell to prisoners of war vegetables in such quantities as may be necessary to their health. Commanding officers of the several prison stations are held responsible that this privilege is not abused.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

ELMIRA, N. Y., *February 13, 1865.*

General W. N. R. BEALL, Provisional Army, C. S.,
Agent for Distribution of Supplies to Prisoners,
75 Murray Street, New York:

GENERAL: We have quarters assigned us near the prison and are limited under our parole to its immediate vicinity. This renders it quite embarrassing to us in discharging the duties for which we are sent here, in not allowing us sufficient freedom of action. It is very necessary that we should visit the express office, railroad depot, and especially headquarters of the post, and some other places within the city limits on business connected with the distribution of supplies. Can you not have this remedied and have our parole so extended as to have us permitted to visit the above places at will in the discharge of our duties? We feel confident that Colonel Tracy, commanding post, will approve any extension or further privilege in our paroles asked.

We are, general, truly, &c.,

DANL. S. PRINTUP,
Major, &c. (for Committee to Distribute Supplies, &c.)

[First indorsement.]

Respectfully referred to General L. C. Hunt, U. S. Army, with the request that the privileges asked for be granted, if not inconsistent with the agreement between General Grant and Colonel Ould.

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner of War and Agent to Supply Prisoners of War.

[Second indorsement.]

HDQRS. U. S. TROOPS, NEW YORK CITY AND HARBOR,
New York, February 15, 1865.

Colonel Tracy will use his discretion and judgment in granting all "due facilities" for the proper distribution of supplies. The parole should be such as to afford such "due facilities" as agreed upon between General Grant and Colonel Ould.

L. C. HUNT,
Brigadier-General, Commanding (for General Paine).

FORT WARREN, *Boston Harbor, February 13, 1865.*

COMMISSARY-GENERAL OF PRISONERS, *Washington, D. C.:*

Through various sources of information we learn that the Confederate prisoners captured west of the Mississippi River have been sent down

that river for exchange. We beg to call your attention to the fact that a few officers belonging to that department are at this place and we respectfully request that we may not be made an exception to the general exchange in that department. A speedy reply is respectfully requested.

We have the honor to be, very respectfully, &c.,

F. C. WILKES,
Colonel, Invalid Corps.
ROBT. J. BARROW,
Colonel, C. S. Army.
[And others of the Trans-Mississippi Department.]

[FEBRUARY 13, 1865.—For Gillmore to Halleck, requesting authority to return to military prisons in the North 495 rebel officers sent to the Department of the South in August, 1864, to be placed under fire in retaliation for the Union officers held under fire at Charleston, S. C., see Series I, Vol. XLVII, Part II, p. 412.]

OFFICE PROVOST-MARSHAL OF PRISONERS,
Rock Island Barracks, Ill., February 13, 1865.

Col. A. J. JOHNSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 13, 1865:

Conduct—very good. Cleanliness—good. Clothing—good. Bedding—none. State of quarters—very good. State of mess-houses—no mess houses. State of kitchen—very good. Food, quality of—good. Food, quantity of—as per circular from Commissary-General of Prisoners. Water—good. Sinks—not good. Police of grounds—very good. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—very good. General health of prisoners—good. Vigilance of guard—good.

Very respectfully, your obedient servant,

A. P. CARAHER,
Lieutenant-Colonel Fourth Regiment Veteran Reserve Corps, and Provost-Marshal of Prisoners, Inspecting Officer.

[Indorsement.]

The within report is concurred in. Rolls have been completed to this date of 1,000 prisoners for exchange. There will probably be at least 2,000 of those confined here who will refuse to be exchanged, as they desire to take the oath. More would no doubt send in their names if they knew they would be released on making such application and not remain longer in confinement than those who will be exchanged.

Respectfully referred to the Commissary-General of Prisoners.

A. J. JOHNSON,
Colonel Fourth Veteran Reserve Corps, Commanding Post.

CITY POINT, VA., *February 13, 1865.*

Col. R. OULD, *Agent of Exchange:*

Your communication in relation to Lieutenant Davis, condemned to death as a "spy," was received and forwarded to the Secretary of War

with the recommendation that his execution be suspended until you could have time to forward evidence in his behalf. I send you now the action taken in his case, which you will perceive was taken prior to the receipt of your letter.*

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *February 13, 1865.*

Lieutenant-Colonel MULFORD,
Steamer New York, Jones' Landing:

With the steamers now at your command you can keep prisoners at Varina to send through as fast as our men can be received in exchange. You might let Colonel Ould know this, so as to hasten the matter as much as possible.

U. S. GRANT,
Lieutenant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 13, 1865.

General R. E. LEE, *Commanding Army of Northern Virginia:*

The river being closed, is there any objection to sending Yankee prisoners through the lines on the Osborne turnpike, or elsewhere?

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 13, 1865.

General BEAUREGARD, *Columbia, S. C.:*

Order commandant of prisoners to remove Federal officers to such point as you may direct. You were telegraphed on this subject yesterday.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 13, 1865.

General T. H. HOLMES, *Raleigh, N. C.:*

Furnish any guards that may be necessary to protect prisoners. Col H. Forno has been directed to call upon you.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

WILMINGTON, *February 13, 1865—5 p. m.*

Hon. J. A. CAMPBELL,
Assistant Secretary of War, Richmond:

It will not do to make this a depot for prisoners.

R. F. HOKE,
Major-General.

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* See Hooker to the President, February 7, p. 191.

RICHMOND, *February 13, 1865.*
(Via Greensborough, 14th.)

General JOHNSON:

Orders have been given for removal of prisoners at Columbia and Florence. Some prisoners may be sent to Salisbury.

W. M. GARDNER,
General, &c.

COLUMBIA, S. C., *February 13, 1865.*

Brig. Gen. W. M. GARDNER, *Richmond, Va.:*

Telegram received. General Beauregard advises to move prisoners to Southwest Georgia. Will not subsistence be difficult in North Carolina? Answer by telegraph.

H. FORNO,
Colonel, Commanding.

COLUMBIA, S. C., *February 13, 1865.*

Lieutenant-General HOLMES, *Raleigh, N. C.:*

Am ordered by the War Department to move 7,000 prisoners from Florence to Raleigh. Can you furnish guard and subsistence? Am also to move 1,200 officers from here to Charlotte. Have guard enough to move them, but will need subsistence and guard at Charlotte. Answer by telegraph.

H. FORNO,
Colonel, Commanding.

COLUMBIA, *February 13, 1865.*

Capt. G. W. BOOTH, *Assistant Adjutant-General:*

General Beauregard strongly disapproves sending prisoners to Wilmington, and urges their instant removal from Florence and Columbia to Southwest Georgia via Abbeville. Am preparing to act at once. Only await General Johnson's orders. There is no time to be lost.

H. FORNO,
Colonel, &c.

FLORENCE, *February 13, 1865.*

Capt. G. W. BOOTH, *Assistant Adjutant-General:*

Seven thousand prisoners—about 3,000 sick—very destitute of clothing. Rations very short; no meat at all. Ought to be removed to a safer point immediately, but cannot be done unless more troops are sent me. Have scarcely two reliefs of reserves and about seventy-five veterans.

JOHN F. IVERSON,
Lieutenant-Colonel, &c.

WASHINGTON, *February 14, 1865.*

Lieutenant-General GRANT, *Commanding U. S. Armies:*

We have 600 rebel officers at Fort Pulaski, and there are as many of our officers held in the vicinity of Charleston. I respectfully suggest

that the rebel officers be delivered on condition that as many of our officers be delivered to us at the same time.

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *February 14, 1865.*

General W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

Your dispatch in reference to exchange of prisoners of war now at Fort Pulaski is received. On the 5th instant I authorized Maj. Gen. J. G. Foster, commanding Department of the South, to effect the exchange of all prisoners of war within the limits of his command. I have not yet heard from him on the subject, but presume he will carry out my instructions as promptly as possible.

U. S. GRANT,
Lieutenant-General.

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
FLAG-OF-TRUCE STEAMER NEW YORK,
Varina, Va., February 14, 1865.

Col. T. S. BOWERS,
Asst. Adjt. Gen., Hdqrs. Armies in Field, City Point, Va.:

COLONEL: I have the honor to inform you that I have this day held a conference with Hon. R. Ould, Confederate agent for exchange, upon the subject of the release of a class of prisoners known as "merchant service men," consisting principally of persons captured on our inland waters while engaged in the U. S. transport service, many of whom have been prisoners for a long period, extending in some instances through quite two years, and now that other exchanges are being consummated, this class, whose claims for a long time have been practically ignored, have, in my opinion, a legitimate demand upon our attention. The result of my conference with Mr. Ould was an agreement, subject to the approval of Lieutenant-General Grant, commanding Armies of the United States, for the release and exchange of this class of prisoners upon the conditions provided by the cartel of July 22, 1862, which defines the grades and establishes the rates of equivalents on the basis of naval captures. This I believe to be a just and equitable arrangement, and respectfully submit the matter for the consideration of the lieutenant-general. Awaiting his instructions on the subject,

I am, sir, very respectfully, your obedient servant,

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 14, 1865.

Col. B. J. SWEET, *Commanding Camp Douglas, Chicago, Ill.:*

Telegram of the 12th received. Discharges will not be granted at present. Arrangements will be made at the proper time for the discharge of those who publicly decline the offer of exchange.

W. HOFFMAN,
Commissary-General of Prisoners.

HEADQUARTERS POST,
Camp Douglas, Chicago, Ill., February 14, 1865.

Bvt. Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to respectfully report that the question is constantly asked by the prisoners of war at this camp, "If we decline to be exchanged and are willing to take and abide by the oath of allegiance to the Government of the United States, what will it avail us? Will we be released from imprisonment, and if so, within what period of time?" Probably if assurances could be officially given that within a reasonably specified time such prisoners would be released, from one-fourth to one-third of the prisoners of war at this camp would publicly decline exchange. Your telegram of this date, from which is quoted, "Arrangements will be made at the proper time for the discharge of those who publicly decline the offer of exchange," is too indefinite to induce any prisoner to refuse exchange, as the question recurs—When will that proper time be? I deem it my duty to report this condition of their minds and respectfully ask definite information for my guidance.

I have the honor to be, general, very respectfully, your obedient servant,

B. J. SWEET,
Colonel Eighth Regiment Veteran Reserve Corps, Comdg. Post.

HEADQUARTERS DISTRICT OF NORTHERN ALABAMA,
Decatur, Ala., February 14, 1865.

Brig. Gen. H. W. WESSELLS, U. S. Army,
Washington, D. C.:

GENERAL: I have the honor to forward herewith a copy of a communication received from General Roddey* by flag of truce in relation to the exchange of prisoners, and also giving the organizations composing his command as requested. I would respectfully request that enough prisoners be sent to this point to effect the exchange as requested by General Roddey.†

Very respectfully, your obedient servant,

R. S. GRANGER,
Brigadier-General, Commanding

RICHMOND, VA., *February 14, 1865.*

Col. E. D. TOWNSEND, *Assistant Adjutant-General, U. S. Army:*

SIR: I have the honor to report the following amount of supplies for Federal prisoners received and distributed by me since my last report of the 1st instant: On the 6th instant I received from Col. Robert Ould, Confederate agent of exchange, 2,500 blouses, 2,500 pair of trousers, 2,500 shirts, 1,928 blankets, and 4 private packages. On the 8th instant I shipped the following supplies for the Federal prisoners at Danville, consigned to Col. G. G. Prey, One hundred and fourth New York Volunteers, viz, 27 private packages, 992 blankets, 500 pair

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*See February 8, p. 198.

†For similar letter to General George H. Thomas, see Series I, Vol. XLIX, Part I, p. 713.

trousers, 600 shirts, 500 blouses. On the same date, for prisoners at Salisbury, N. C., consigned to Maj. Aug. Haurand, Fourth New York Cavalry, the following supplies, viz, 3,000 blankets, 1,540 pair trousers, 1,400 shirts, 1,500 blouses.

These supplies were all shipped in care of a special messenger, who was charged with their delivery to the consignees. Colonel Prey reports the arrival of the supplies consigned to him at Danville.

I made application some time since for transportation to Columbia and Florence, but have been unable to obtain it. To-day I learned from Colonel Ould that it would be furnished in a few days, when I shall forward to those points the balance of supplies now on hand.

I deem it my duty to state that the Confederate authorities, through their agent, Colonel Ould, seem disposed to afford me every facility for the transaction of this business with thoroughness, safety, and dispatch. The difficulties in the way of forwarding the supplies to the prisoners now at Columbia and Florence will be removed, I believe, in a few days.

I am, very respectfully, your obedient servant,

JOSEPH HAYES,
Brigadier-General, U. S. Volunteers.

OFFICE SUPT. AND INSPECTOR OF MILITARY PRISONS,
Saint Louis, Mo., February 14, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 13, 1865:

Conduct — no complaints. Cleanliness—very good. Clothing—no demand made for any. Bedding—good. State of quarters—very clean. State of mess-houses—an old dark place, but pretty clean. State of kitchen—the same. Food, quality of — good. Food, quantity of—sufficient. Water—plenty. Sinks, pretty clean—newcomers hardly ever know how to use them decently. Police of grounds—satisfactory. Drainage—improving. Police of hospital—very good. Attendance of sick—prompt. Hospital diet—under control of the hospital department. General health of prisoners—improving since the number of prisoners has decreased. Vigilance of guard—no complaint made.

Remarks and suggestions.—At my recent inspections I have observed that prisoners of war coming from the smallpox hospital are furnished with clothing exactly the same as that worn by our own men. Paragraph XII of the Commissary-General's circular of April, 1864, directs that the skirts of the coats will be cut short, but these are jackets such as many Western regiments have received and still wear. I have, of course, ordered the buttons to be cut off, but I still believe it to be dangerous to issue that kind of clothing, because prisoners will be very easily mistaken for U. S. soldiers. I would respectfully suggest that only gray clothing (which is so often confiscated on prize vessels) be issued, or some other mark, such as replacing the blue collars or part of their sleeves by gray ones, which the prisoners can do themselves, to prevent such mistakes. I also beg leave respectfully to refer to the indorsement of the commander of the prison (which is herewith inclosed) in answer to my letter of February 5. I always did believe that the employment of

rebels as clerks, in whatever department, is dangerous. Convalescents of our own Army could do that service much better.

Very respectfully, your obedient servant,

GUST. HEINRICHS,

Lieut. Col. Forty-first Missouri Regiment and Inspecting Officer.

[Indorsement.]

Approved, with the remark that I have directed that gray cloth be provided by the sutler, that part of the sleeve may be marked as recommended by Colonel Heinrichs. Also, I have taken steps to reduce the number of rebels employed in hospital.

Respectfully referred to the Commissary-General of Prisoners.

J. H. BAKER,

Colonel and Provost-Marshal-General, Commanding.

[Inclosure.]

OFFICE SUPT. AND INSPECTOR OF MILITARY PRISONS,
Saint Louis, February 5, 1865.

Capt. R. C. ALLEN, *Commanding Gratiot Street Prison:*

CAPTAIN: You will please make a confidential report on the back of this letter on the danger of employing a rebel prisoner as clerk of the prison hospital department and the observations that you have made on the subject. Also as to the receiving visits by female friends of said clerk, and the possibility or probability of letters being smuggled into the prison through that source.

Respectfully, yours,

GUST. HEINRICHS,

Lieut. Col., Inspector and Superintendent of Military Prisons.

[Indorsement.]

OFFICE GRATIOT STREET MILITARY PRISON.
Saint Louis, Mo., February 7, 1865.

Respectfully returned.

I bring no charges against any one connected with the hospital, but beg leave to call your attention to the danger of employing a prisoner as a clerk in the hospital office. It frequently occurs that this prisoner is alone in the office, and friends of prisoners coming into the office at such time might be able to pass letters, money, and other articles to prisoners. Prisoners from this side of the street are on detail in the branch hospital every day, and might carry letters and other articles to the prisoners on this side. The prisoner employed as clerk in the hospital has access to all official papers sent to the hospital, and thus obtains information which no prisoner should have.

R. C. ALLEN,

Captain, Fortieth Missouri Infantry, Commanding Prison.

HEADQUARTERS MILITARY DISTRICT OF KENTUCKY,
Lexington, Ky., February 14, 1865.

Maj. Gen. JOHN C. BRECKINRIDGE,
Comdg. Department of West Virginia and East Tennessee:

GENERAL: I have the honor to acknowledge receipt of your communication of 12th ultimo relative to Col. John D. Morris, Lieut. Col. C. K. Johnson, and Maj. Theophilus Steele, prisoners in my hands, and

in which you express your intention of selecting three officers of equal rank from this command whose treatment shall be regulated by that extended to the officers named, and whose fate shall be decided by theirs. Simply noticing the facts, and without entering into a discussion in regard to them, that the officers referred to by you were captured far within our lines, without a command, and engaged in recruiting for and obtaining information for the benefit of the enemies of the United States, and that you have no officers of this command captured under similar circumstances in your possession, I will state that acting under instructions from the War Department I have forwarded to Fortress Monroe, for exchange, Colonel Morris and Major Steele.

C. K. Johnson, who claims to be a lieutenant-colonel in the Confederate service, though I have no evidence to corroborate his statement, has been tried before a military commission on the charge of being a spy. The proceedings of the commission have not yet received final action and Johnson is held in close confinement awaiting such action.

I cannot recognize as prisoners of war officers and men belonging to the Confederate service captured in a loyal State not attached to any recognized portion of the Confederate Army and engaged in assisting and inciting to acts of murder and robbery the roving bands of outlaws and guerrillas now infesting this State. Nor do I recognize your right to regulate the treatment of any officer of this command who may be a prisoner of war in your hands by that which is accorded C. K. Johnson, whom I do not consider an officer, and the circumstances attending whose arrest are not such as entitle him to the privileges of a prisoner of war.

Should you after this explanation hold an officer of this command as hostage for him, I shall consider it my duty to retaliate in like manner.

Very respectfully, your obedient servant,

S. G. BURBRIDGE,
Brevet Major-General, Commanding.

KNOXVILLE, TENN., *February 11, 1865.*

Brig. Gen. JOHN C. VAUGHN, C. S. Army,
Comdg. Cavalry, Dept. of West Virginia and East Tennessee:

GENERAL: In compliance with recent instructions from Washington I forward herewith three citizen prisoners, viz: A. C. Plumlee, William Hall, and Wayne Wallace. These are all the citizen prisoners in my charge that come within the scope of your agreement with General Carter. I am anxious to carry out that agreement fully and have done so as far as has lain in my power. Other citizens held by us are held for specific offenses against law and order, which your authorities, as well as ours, are bound to punish.

A prisoner recently escaped from Salisbury reports that citizens of East Tennessee are still confined there, and not only have had no intimation of their release, but have been most positively assured that they would not be released during the war unless they would enlist in the Confederate Army. I hope such is not the case.

I am authorized to say that if your part of the agreement with General Carter is not carried out in good faith immediate and full retaliation will be visited upon general officers of the Confederate Army now in our hands. I earnestly hope that a prompt fulfillment of the agreement will prevent the necessity of any such unpleasant measure.

With every assurance of my earnest desire to mitigate the hardships of this terrible strife, I beg leave to remain,

Very respectfully, your obedient servant.

L. S. TROWBRIDGE,
Lieut. Col. Tenth Mich. Cav. and Pro. Mar. Gen. of East Tenn.

CHARLESTON, *February 14, 1865.*

General S. COOPER:

It is respectfully suggested that the prisoners at Florence be sent to Wilmington and delivered to the enemy on parole, thus relieving us and embarrassing the enemy.

G. T. BEAUREGARD,
General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 14, 1865.

General G. T. BEAUREGARD, *Columbia, S. C.:*

Send prisoners to North Carolina rather than elsewhere, as exchanges are being approved.

J. A. CAMPBELL,
Assistant Secretary of War.

GENERAL ORDERS, No. 6. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, February 14, 1865.*

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II. Brig. Gen. Gideon J. Pillow is constituted Commissary-General of Prisoners and will enter at once upon his duties as designated in paragraphs I, II, and III, General Orders, No. 84, 1864.

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By order:

S. COOPER,
Adjutant and Inspector General.

[NOTE.—The foregoing order was revoked by paragraph 40, Special Orders, No. 48, Adjutant and Inspector General's Office, February 27, 1865, for which see Series I, Vol. XLVII, Part II, p. 1284.]

CHARLOTTE, *February 14, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

It is very unsafe to let the 1,200 Federal officers remain here. The guard is small and no inclosure. Should any of them escape would endanger a very large amount of valuable stores.

W. J. HOKE,
Colonel, Commanding Post.

[First indorsement.]

Respectfully submitted to Honorable Secretary of War.

JOHN W. RIELY,
Major and Assistant Adjutant-General.

[Second indorsement.]

FEBRUARY 15, 1865.

ADJUTANT-GENERAL:

Communicate to General Bragg if Charlotte be within the limits of his command. If not, inform General Lee.

[JOHN C. BRECKINRIDGE,]
Secretary of War.

CIRCULAR.] HEADQUARTERS MILITARY PRISONS,
Richmond, Va., February 14, 1865.

I. By special agreement between the respective agents of exchange for the Confederate and United States all prisoners held in close confinement are directed to be released from such confinement and placed on the same footing of other prisoners of war.

II. Commandants of prisons are hereby directed to release from confinement all prisoners of war thus held and forward them without delay to Richmond, Va. If there are no prisoners thus held the fact will be reported in writing immediately on the receipt of this order.

III. Commandants of all prisons are directed to have made out rolls of all citizen prisoners, stating name, State, date of arrest, and cause of arrest, and forward without delay through these headquarters for the Bureau of Exchange.

IV. Any information that can be given of Capt. Shad. Harris, of Tennessee, for whom the Federal authorities have particularly asked, will be stated.

By order Brig. Gen. W. M. Gardner:

J. LOUIS SMITH,
Assistant Adjutant-General.

COLUMBIA, S. C., *February 14, 1865.*

Brig. Gen. W. M. GARDNER, *Richmond, Va.:*

General Holmes telegraphs that he has no guards to give me; recommends Greensborough as location, and can feed prisoners with bread only. I am removing prisoners from Florence to Abbeville. I have enough South Carolina guards, and subsistence is easy there. Columbia prisoners go to Charlotte to-day.

H. FORNO,
Colonel, Commanding.

COLUMBIA, S. C., *February 14, 1865.*

Brig. Gen. W. M. GARDNER, *Richmond, Va.:*

I have just learned that the enemy are near Kingsville, but shall do my best to remove prisoners.

H. FORNO,
Colonel, Commanding.

SPECIAL ORDERS, } HDQRS. PRISONS IN SOUTH CAROLINA,
No. 32. } *Columbia, S. C., February 14, 1865.*

I. Capt. William G. Barth, assistant adjutant-general, will proceed immediately to Abbeville, S. C., to make arrangements for the removal of 5,000 Federal prisoners and their guards to that point. He will select a suitable location for a prison near Cokesbury and make arrangements for the supply of the prisoners on their arrival there. Private William Rogers will accompany Captain Barth. The quartermaster's department will furnish the transportation.

By order of Col. H. Forno, commanding:

WM. G. BARTH,
Assistant Adjutant-General.

WILMINGTON, *February 14, 1865.*

General R. E. LEE, *Petersburg:*

The prisoners should not be stationed here for any length of time.

R. F. HOKE,
Major-General.

CITY POINT, VA., *February 15, 1865—8.30 p. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Will you please have Commodore Buchanan sent here for exchange? We will be able to release some of our sailors from Southern prisons with him.

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

FEBRUARY 16, 1865.

Brevet Brigadier-General Hoffman will carry out General Grant's request.

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, VA., *February 15, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

The rebel agent of exchange says he understands that Campbell, Marr, and others are still in irons at Johnson's Island. Will you please direct General Hoffman to furnish me a list of rebel prisoners who are still so confined, and under what orders, so that I may know whether such complaints are well founded?

U. S. GRANT,
Lieutenant-General.

[First indorsement.]

FEBRUARY 15, 1865.

Respectfully referred to Brevet Brigadier-General Hoffman for report.

H. W. HALLECK,
Major-General and Chief of Staff.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 18, 1865.

Respectfully returned to Maj. Gen. H. W. Halleck, Chief of Staff.

At the date of this telegram there were no prisoners in irons at Johnson's Island. Last night a citizen prisoner, Thomas F. Berry, was placed in irons for stabbing Lieut. Harlin Morgan, a prisoner of war, who died of the wound.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS OF THE ARMY,
Washington, D. C., February 15, 1865.

Lieutenant-General GRANT, *City Point:*

GENERAL: Information has been received here from various sources that the proceeds of the 1,000 bales of cotton sent from Mobile are to be used to supply the rebel prisoners of war, now being exchanged, with new uniforms and blankets, so that they can return to the field fully clothed and supplied in the United States. By direction of the Secretary of War I inclose herewith a copy of a letter referring to a contract by the rebel General Beall in New York for 20,000 gray coats and pants and 20,000 blankets. The Secretary of War does not see how, under the agreement between yourself and Mr. Ould, this can be prevented, and directs me to refer the matter to you for your action or suggestions.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

[Inclosure.]

NEW YORK, *February 10, 1865.*

Hon. CHARLES A. DANA,
Assistant Secretary of War, Washington, D. C.:

DEAR SIR: I am this morning informed that the rebel General Beall has contracted with one of our clothiers (John F. Martin) for 20,000 gray coats and pants for the purpose of clothing the Confederate prisoners, and that he has also contracted for 20,000 blankets for same use. From the fact that these prisoners are soon to be exchanged, as I am informed, and that the clothing ordered is in every respect the Confederate uniform (save as to buttons), that they can be readily changed (gray satinets), will not this, if permitted, place 20,000 men in the Confederate ranks, uniformed and with blankets, ready for active service? I have felt it my duty to call the attention of the Government, through you, to the above facts, &c.

Julian A Scott feels truly grateful to you for your kindness in aiding me in obtaining the medal, &c.

Truly, yours,

HENRY E. CLARK.

CITY POINT, VA., *February 15, 1865.*

Col. JOHN E. MULFORD, *Agent of Exchange:*

Your communication of date 14th instant, in relation to the exchange of a class of prisoners known as "merchant-service men," is received.

The agreement with Judge Ould for the release and exchange of this class of prisoners upon the conditions provided by the cartel of July 22, 1862, is approved, and you will carry out the same as speedily as practicable.

By command of Lieutenant-General Grant:

T. S. BOWERS,
Assistant Adjutant-General.

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75 MURRAY STREET, *New York, February 15, 1865.*

General L. C. HUNT, *Present:*

I have the honor to furnish the following list of prisons that I have sent supplies to, viz: Elmira, Point Lookout, Fort Delaware, Camp Chase, Camp Douglas, Camp Morton, and Rock Island. I have previously asked that officers be sent to all prisons where there are no officers confined, and since I am sending to the several prisons in order I renew the application. I would also ask permission to station Brig. Gen. R. B. Vance, my assistant, in Baltimore, to supply to needy prisoners who may arrive from time to time. Please inform me if I am expected to use revenue stamps on receipts and checks.

I am, general, very respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

P. S.—Also have the honor to inclose two communications, one to commanding officer Fort Delaware, and one to commanding officer Elmira Depôt, which please forward.

Respectfully, &c.,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 15, 1865.

Maj. Gen. E. R. S. CANBY,
Commanding Department of the Gulf, New Orleans, La.:

GENERAL: I have the honor to inform you that I have to-day, by direction of the Secretary of War, ordered the rebel officers named on the accompanying list* to be forwarded to Colonel Dwight, assistant agent for exchange at New Orleans. They have not heretofore been sent to you, because, as you will notice, the places of capture are not such as are covered by your cartel of July 28, 1864. We have no Capt. Thomas Bartlette, but there is a Capt. T. J. Bartlett, captured in Mississippi. He may be the person sought, and I therefore send him to you. We have no record of Edward Bisart nor T. L. Moore. There is a Capt. W. F. Moore, Price's staff, captured in Arkansas July 22, 1863, and a Capt. Charles L. Moore, Company C, Fifteenth Arkansas, captured in Monroe County, Ark., February 2, 1864, at Johnson's Island, neither of whom seem to be the officer called for.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

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* Omitted; embraced in Hoffman to Hill, next, *post*.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 15, 1865.

Col. C. W. HILL,
Commanding Johnson's Island, Sandusky, Ohio:

COLONEL: By direction of the Secretary of War you will forward the following-named prisoners of war to New York, to be shipped thence to Col. C. C. Dwight, assistant agent for exchange, Division of the Mississippi, at New Orleans, for exchange, viz: D. W. Shannon, lieutenant-colonel Fifth Texas Cavalry; J. A. Shepard, lieutenant, Fifth Texas Cavalry; F. P. Steck, captain, Third Confederate, C. S. Army, Company H; A. Ridley, major Third Arizona Regiment; H. H. Hall, captain, Third Arizona Regiment; J. M. Elkins, lieutenant, Third Arizona Regiment; J. A. Darby, lieutenant, Fifth Texas Cavalry; A. M. Lyles, lieutenant, Third Arizona Regiment; W. H. Mitchell, lieutenant, Third Arizona Regiment; Thomas J. Bartlett, captain, First Corps, Army of Mississippi in East Texas, inspector-general First Brigade, Second Division; H. G. Bruce, captain, Twentieth Texas, Company H; Henry M. Ellis, captain, Thirteenth Arkansas Infantry, Company H; E. M. Heath, first lieutenant, Twentieth Texas Cavalry; James McKill, captain, Eighth Missouri Infantry, Company E; P. H. Pruett, lieutenant, Tenth Arkansas, Company E; J. M. Wright, second lieutenant, Twentieth Texas, Company B.

Place them in charge of a suitable guard and direct the commanding officer to deliver them to the commanding officer at Fort Columbus, after which he will report in person to Major-General Dix in New York, and he then will return with his guard to Johnson's Island. Send duplicate parole-rolls with them, and observe the usual instructions in the transfer of prisoners for exchange. Should any of the officers named in the foregoing list have been sent from the island, their names will nevertheless be placed on the parole-rolls with appropriate remarks to show how they have been disposed of. If Captain Bartlett declines to be exchanged let him remain at the depot, and make a note on the rolls. The quartermaster's department will furnish the necessary transportation.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS U. S. FORCES,
Camp Chase, near Columbus, Ohio, February 15, 1865.

Bvt. Brig. Gen. WILLIAM HOFFMAN,
Insp. and Com. Gen. of Prisoners, Washington City, D. C.:

GENERAL: In reply to your dispatch, inquiring if there are any prisoners of war on parole at this camp and by what authority, I have the honor to state that on the 31st day of October, 1864, I addressed a communication to the Commissary-General of Prisoners (a copy of which is hereto attached*) on the subject of employing prisoners of war as nurses, attendants, &c., at the prison hospital. From the indorsement of Brigadier-General Wessells you will see that authority was given for their employment and the precautions against their escape left to my discretion. Under this all these men were placed on parole (a copy of which is herewith inclosed†) as the best method of preventing escape. There has been no violation of this parole by any of them up

* See Vol. VII, this series, p. 1068. † *Ibid.*, p. 1069.

to this time. A list of the names is herewith inclosed. There are three commissioned officers on parole: Col. W. S. Hawkins, of Tennessee; Col. J. E. Josey, of Arkansas, and Capt. C. T. Smith, of Virginia. On the 12th of December, 1864, I received a communication from Brigadier-General Beall, C. S. Army, addressed to the Confederate prisoners of war at this camp (a copy of which I also inclose),* asking me to take the necessary steps to carry out the proposed arrangement. On the same day (December 12, 1864) I forwarded these papers to the Commissary-General of Prisoners, asking for instructions. The papers were returned with indorsement directing me to carry out arrangements entered into and approved by General Paine and inclosing a copy of General Orders, No. 3, dated December 16, 1864, from your office. Under these instructions I permitted the prisoners of war then at this post to select three officers, which resulted in the choice of those named. To perform their duties it was necessary that they should be permitted to visit all the prisoners and converse with them to ascertain their wants. The supplies when sent could not be received in prisons, I deeming it proper that they should be examined after being received by the Confederate agents before being distributed. In my opinion these duties could not be performed by them, nor safely permitted by us, unless these officers were placed upon parole. I therefore placed them upon special parole (a copy of which is inclosed), and forwarded a copy of the same to the Commissary-General of Prisoners December 24, 1864, for his approval, with an explanatory letter, a copy of which is also inclosed.†

I am, general, very respectfully, your obedient servant,

W. P. RICHARDSON,
Colonel Twenty-fifth Ohio Volunteers, Commanding.

RICHMOND, *February 15, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I understand that Maj. J. Thompson has been in close confinement at Johnson's Island. For what cause I do not know, as I have already delivered to you every prisoner of war who had been at any time in close confinement or in irons in the South excepting Capt. Shad. Harris, who will be delivered to you. I hope that Major Thompson will be speedily sent.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 15, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I am informed by returned prisoners from Point Lookout that Private Gorman, of General Lee's scouts, is confined with ball and chain at that place. Why is this done? It is not contested that he is a regular Confederate soldier. Cannot this sort of treatment of soldiers be permanently prevented? I will thank you to return this man under our agreement.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

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*See Vol. VII, this series, p. 1207.

†*Ibid.*, p. 1267.

RICHMOND, *February 15, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I understand from returned prisoners that Private Edwin Harris, Seventh Louisiana, now a prisoner at Point Lookout, was in close confinement for some time at that place. Will you not deliver him under our agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

BALTIMORE, MD., *February 15, 1865.*

Surg. J. SIMPSON, U. S. Army,
Medical Director, Baltimore, Md.:

SURGEON: I have the honor to report that in compliance with your instructions I examined the rebel prisoners who arrived this date from Elmira, N. Y., and found nineteen of the number unable to proceed farther on their journey. They were sent to hospital—eighteen to West's Buildings and one, a case of smallpox, to the Marine Hospital. Three died en route from Elmira to this city in consequence of chronic diarrhea. Their bodies were sent to National Hospital for burial. The deaths of these men soon after leaving hospital and the condition of the men retained here would suggest that there was not a proper medical inspection made of these troops before leaving camp.

I am, sir, very respectfully, your obedient servant,

HENRY PALMER,
Surg., U. S. Vols., Actg. Medical Inspector, Eighth Army Corps.

[First indorsement.]

MEDICAL DEPARTMENT, EIGHTH ARMY CORPS,
Baltimore, February 18, 1865.

Respectfully forwarded to the Commissary-General of Prisoners.

The inspection made by Surgeon Palmer was by my order (a copy of which is inclosed), and was suggested by the report of the commanding officer of the detachment that he had a large number of prisoners who were unable to travel. The surgeon in charge of the West Hospital has been instructed to take up on his rolls the names of the men admitted to hospital and state the circumstances under which they were received. Proper care does not appear to have been exercised by the medical officer at Elmira in the examination of the prisoners for transfer, for it is not possible that so short a journey could have brought about the condition in which these sick were found on their arrival at this point.

J. SIMPSON,
Surgeon, U. S. Army, Medical Director.

[Inclosure.]

MEDICAL DIRECTOR'S OFFICE,
MIDDLE DEPARTMENT, EIGHTH ARMY CORPS,
Baltimore, Md., February 15, 1865.

Surg. HENRY PALMER, U. S. Volunteers:

SIR: You will proceed to Bolton Station to superintend the removal of eighty rebel prisoners reported by the officer in charge as just having arrived from Elmira, N. Y., and said to be unable to travel.

You will make a careful examination of these men, and such of them as are, in your opinion, too ill to accomplish the journey to City Point you will send to the West Buildings Hospital, and make a full report to this office.

Very respectfully, your obedient servant,

J. SIMPSON,
Surgeon, U. S. Army, Medical Director.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 20, 1865.

Respectfully referred to Col. B. F. Tracy for report.

The instructions from this office directing that invalids who were well enough to bear the journey should be forwarded does not appear to have been obeyed.

By order of Bvt. Brig. Gen. W. Hoffman, Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., February 25, 1865.

Respectfully returned to the Commissary-General of Prisoners with the following extracts from the report of Lieutenant-Colonel Trotter, in charge of the detachment, as to transportation:

The train left Elmira at 5 p. m. February 13 and reached Baltimore, via Northern Central Railroad, at 10 a. m. February 15, after many delays. During the night of February 14 neither water nor lights were provided for any car upon the train, as required by the terms of the contract, and three of the prisoners died from the continued exposure. The train consisted of seventeen cars, with only one brakeman for the entire number, to which ten or more cattle cars were added when the train left Williamsport. * * * I would beg leave to call attention to the indifference of the officials of the Northern Central Railroad, who paid not the least attention to repeated applications for lights for the cars, which I was finally compelled to purchase myself. Neither did they supply any water or fuel after the train left Elmira. * * *

The surgeon was strictly charged to send no one unable to endure the journey. It requires a pretty strong man, however, to endure a railroad journey of forty-one hours during such weather as prevailed at the time this party of prisoners was forwarded.

B. F. TRACY,
Colonel 127th U. S. Colored Troops, Commanding Depot.

HEADQUARTERS TRANS-MISSISSIPPI DEPARTMENT,
OFFICE ASSISTANT AGENT OF EXCHANGE,
Shreveport, La., February 15, 1865.

Col. CHARLES C. DWIGHT,
Commissioner of Exchange, Mil. Div. of West Mississippi:

COLONEL: I have the honor to acknowledge the receipt of your several communications by telegraph and other sources. I should have replied immediately, but that I wished in my answer to be able to appoint a day for our next exchange, which, if agreeable to you, shall be on the 24th instant and at our usual rendezvous, Red River Landing.

I am gratified to learn that the U. S. authorities have consented to release Admiral Buchanan, and I shall take pleasure in bringing with me the U. S. naval prisoners now under my control. I shall at the same time be prepared to deliver to you the equivalent for Confederate officers recently delivered at Fort De Russy, and in addition will bring with me a number of U. S. prisoners ample for all such exchanges as are contemplated in your dispatch of January 29.

I beg to inclose you copies of several communications recently received and have to regret that a majority of them relate to the cruel treatment of Confederate prisoners.*

I have the honor to inclose you communications from Lieutenant-General Buckner to Major-General Canby, commanding, &c.*

Your recent communications contain nothing further in relation to the exchange of Generals Marmaduke and Cabell. I nevertheless indulge the hope that the efforts of Major-General Canby to secure their delivery may prove successful, and that you will be prepared at an early day to announce the readiness of the United States Government to effect their exchange. I shall also bring with me fifty bales of cotton furnished by Confederate Government, the proceeds of which I beg may be applied to the purpose of alleviating the physical discomforts of such prisoners from the State of Louisiana as may now be held by the U. S. authorities.

With the hope of meeting you on the day fixed and being, with your co-operation, able to add to the well being of both Confederate and U. S. prisoners,

I am, very respectfully, your obedient servant,

IG. SZYMANSKI,

Assistant Agent of Exchange, Trans-Mississippi Department.

RICHMOND, *February 15, 1865.*

Brig. Gen. W. M. GARDNER,

Acting Commissary-General of Prisoners:

SIR: If not incompatible with military interests I will thank you to have forwarded to Richmond for delivery the following Federal prisoners, to wit: Col. W. H. Noble, at Macon, Ga.; Private John O'Neil, Maryland regiment, at Salisbury; Mr. Moore (sutler's clerk, I think), at Salisbury; Capt. C. B. Amory, Columbia; Lieut. H. V. Weyde, Danville: Lieutenant Waldron, Danville; Captain McChesney, Second New York Rifles, Richland Jail, S. C.

Respectfully, your obedient servant,

RO. OULD,

Agent of Exchange.

Brigadier-General Brandon, relative to the militia captured in Vicksburg, their detention in parole camp, exchange, &c.

[Indorsement.]

FEBRUARY 15, 1865.

Returned. Although an order requiring these men to report at parole camp has been in existence for a year and a half, very few have done so. They are not in service simply because they do not want to

* Not found as inclosures and not otherwise identified.

be. If they had reported at any parole camp they would have been declared exchanged long since. I hope I am not uncharitable in stating that they know that fact very well. If they can be made to report at any parole camp, leaving their name, I can embrace them in my next declaration of exchange. The military authorities must of course judge as to the propriety of the furlough. Will they come back after furlough upon a notification of their exchange? If not, we waste the powder of their equivalents.

[RO. OULD,
Agent of Exchange.]

CHARLOTTE, *February 15, 1865.*

General B. T. JOHNSON:

The prisoners have just arrived. Guard broke down. If possible, permit your men to remain until morning.

W. J. HOKE,
Colonel, &c.

[Indorsement.]

Answer: You can keep them, but return them in the morning.

FLORENCE, *February 15, 1865.*

Capt. G. W. BOOTH, *Assistant Adjutant-General:*

I have been ordered by Colonel Forno, at Columbia, to move the prisoners to that point. No trains can pass through Kingsville unless they go to-day. This is impossible. Shall I ship them to North Carolina?

J. F. IVERSON,
Lieutenant-Colonel, &c.

[Indorsement.]

FEBRUARY 16, 1865.

Obey Colonel Forno's orders. He is in charge in South Carolina.

G. W. BOOTH.

CITY POINT, VA., *February 16, 1865—10.30 p. m.*

Maj. Gen. E. A. HITCHCOCK:

I see it stated in the papers that where some prisoners in the West were paraded to be sent forward for exchange, those who preferred Northern prisons to a return to the rebel service were invited to step to the front. I think this wrong. Those who do not wish to go back are the ones whom it is most desirable to exchange. If they do not wish to serve in the rebel army they can return to us after exchange and avoid it.

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

Referred to General Halleck for report.

EDWIN M. STANTON,
Secretary of War.

CITY POINT, VA., *February 16, 1865.*

Major-General HALLECK, *Washington:*

Our prisoners in the South will probably be delivered to us as fast as they can be got through without reference to the number received from us. To expedite this delivery I have authorized those west of the Mississippi to be delivered at any point on the river, those in the southwest at Mobile, and those in North Carolina at Wilmington or Richmond. Their equivalents will be delivered on the James River. Please notify Canby and Schofield of this and direct them to receive all prisoners delivered to them. Canby had better send all that are delivered on the Mississippi to Benton Barracks to be paid and furloughed. Those received at Mobile can be sent either there or to Annapolis, according to the direction transports may be taking at the time of their delivery. Schofield of course will send all he receives to Annapolis.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS OF THE ARMY,
Washington, February 16, 1865.

Major-General SCHOFIELD, *Fort Fisher, N. C.:*

GENERAL: Lieutenant-General Grant directs that you will receive all Union prisoners delivered to you for exchange and send them to Annapolis, Md.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

[FEBRUARY 16, 1865.—For Grant to Thomas, relating to exchange of prisoners, see Series I, Vol. XLIX, Part I, p. 725.]

CITY POINT, *February 16, 1865.*

Lieutenant-Colonel MULFORD:

In arranging to receive prisoners at Wilmington, agree to receive none there but those who are physically able to bear a sea voyage on ordinary transports. All the sick and disabled should be brought to the James River for delivery.

U. S. GRANT,
Lieutenant-General.

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75 MURRAY STREET, *New York, February 16, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: On yesterday I made application to General Hunt for authority to station my assistant, Brig. Gen. R. B. Vance, at Baltimore, Md., to issue supplies to needy prisoners who from time to time arrive there. As the general gave me no direct authority, will you please reply to the communication? I send all communications that have come for you and been turned over to me for my information.

I am, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

CITY POINT, VA., *February 16, 1865.*

General R. E. LEE, *Commanding C. S. Army:*

Inclosed I send you communication from W. N. R. Beall, relating to James Monnehause, with indorsements thereon, and an extract from the Richmond Examiner, dated December 8, 1864, containing statement of the capture of thirty-seven Union citizens and their commitment to Castle Thunder, to be held as hostages for the good treatment and return of Confederate citizens alleged to have been captured by us.* Previous to the receipt of the inclosed communication and before my attention was called to the extract from the Richmond Examiner, I directed the release of all persons held by military authority within the Department of Virginia and North Carolina against whom sufficient evidence could not be found to convict them of the offense with which they stand charged, and also such as were imprisoned without proper charges, if any such there were. Similar orders were intended to be given throughout the entire military command of the United States, but before such orders are now given I desire information as to the truth of the statement of the Richmond Examiner, before referred to, and, if true, the names of the persons held by us for whom they were seized and held as hostages, and when and where captured, that their cases may be inquired into and the proper action had as to each. I would respectfully propose the release and exchange of all citizen prisoners now held by military authority, except those under charges of being spies or under conviction for offenses under the laws of war on both sides.

U. S. GRANT,
Lieutenant-General.

[FEBRUARY 16, 1865.—For Gillmore to commanding general Confederate forces, Department of South Carolina, &c., proposing an exchange of officers and men, see Series I, Vol. XLVII, Part II, p. 452.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 16, 1865.

Maj. H. A. ALLEN,
Commanding Fort Warren, Boston Harbor:

Send Commodore Buchanan on parole for exchange to City Point via Baltimore. Send an officer with him, who will report their arrival at City Point to Lieutenant-General Grant. They will not delay by the way, and Commodore Buchanan will not communicate with any person. Reply.

W. HOFFMAN,
Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 16, 1865.

Col. C. W. HILL,
Commanding Johnson's Island, Sandusky, Ohio:

Are there any rebel prisoners in irons at Johnson's Island? If so, give their names and the orders for such confinement.

W. HOFFMAN,
Commissary-General of Prisoners.

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*Inclosures not found.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 16, 1865.

Col. C. W. HILL,
Commanding Johnson's Island, Sandusky, Ohio:

Prepare parole-rolls for exchange of all prisoners of war who wish to be exchanged in parties of 100, in proportion to grades. Generals will not be included. Those who have been longest in confinement will be first exchanged. Reply.

W. HOFFMAN,
Commissary-General of Prisoners.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., February 16, 1865.

Bvt. Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners:

GENERAL: Your telegram of this date directing rolls to be prepared of all who desire to be exchanged and to report the number who do not desire to be exchanged is received. The number who do not wish to be exchanged will depend very much upon the treatment those who refuse are to receive after the exchange is perfected. If they could have assurances of release or greater liberty than is now extended to them I think one-half of this camp would refuse to be exchanged, but if they are to choose between being exchanged or confinement in prison for an indefinite period, I think very few will decline to be exchanged. Under the impression that there is no prospect of an early release many who have made application to take the oath now desire to be exchanged. This I have refused to allow, believing that a man should stand by his application. Am I right? If the Government is desirous that prisoners should refuse to be exchanged an influence could be started in camp which I have no doubt would induce many to refuse an exchange.

Lieutenant-Colonel Price, a rebel officer, now here, will not himself be exchanged, and although I cannot speak with equal confidence as to Major Printup, I think he will also refuse; at least he has no confidence in the success of the rebellion and is in favor of peace and reunion. If it is deemed advisable I am confident that one or both of these officers could be used to advantage in this camp to prevent exchange.

I advise nothing; I simply make these suggestions for your consideration.

I have the honor to be, very respectfully, your obedient servant,
B. F. TRACY,
Colonel, Commanding Depot Prisoners of War.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 20, 1865.

The within papers are respectfully submitted for the information of Maj. Gen. H. W. Halleck, Chief of Staff, and for such action as may be deemed expedient.

Unless otherwise ordered Colonel Tracy will be instructed to detain no prisoners of war who desire to be exchanged.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
FLAG-OF-TRUCE STEAMER NEW YORK,
Varina, Va., February 16, 1865.

Hon. ROBERT OULD, *Agent of Exchange, Richmond, Va.:*

SIR: In reference to your letter of [11th] instant, addressed to Lieutenant-General Grant, proposing to deliver without delay, by way of James River, Wilmington, or other convenient points, the Federal prisoners in your hands, provided an assurance was given that an equal number of Confederate prisoners would be delivered within a reasonable time, I am authorized by the lieutenant-general commanding Armies of the United States to accept your proposition, and give the assurance required. You can make your deliveries by way of James River, Wilmington, Mobile, the mouth of Red River, or some other point to be agreed upon on the Mississippi River. The prisoners can be delivered to officers in command of U. S. forces at the points indicated. Our deliveries will be made in James River at the rate of from 3,000 to 5,000 per week.

I am, sir, very respectfully, your obedient servant,

JNO. E. MULFORD,
Lieutenant-Colonel and Assistant Agent for Exchange.

NASHVILLE, *February 16, 1865—4.50 p. m.*

Lieutenant-General GRANT:

General Forrest, through General Wilson, says that he is willing and anxious to have us send clothing to our prisoners confined in Mississippi and Alabama.* He represents them as suffering, and guarantees safe transmittal and delivery of everything sent to them. They number about 7,000. He wishes also to make an exchange of prisoners now in their hands, or who may hereafter be taken. Is also desirous of allowing the people to send their cotton within our lines and take out nothing but necessaries of life.

GEO. H. THOMAS,
Major-General.

[FEBRUARY 16, 1865.—For Whipple to Wilson in relation to exchange of prisoners, supplying clothing for same, &c., see Series I, Vol. XLIX, Part I, p. 727.]

RALEIGH, *February 16, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

The first installment of prisoners expected here to night. Their guard ordered to return. I have no troops here to guard them.

T. H. HOLMES,
Lieutenant-General.

RICHMOND, *February 16, 1865.*

COMDT. OF PRISONS AT FLORENCE, CHARLOTTE, AND SALISBURY:

A general exchange of prisoners has been agreed upon, and the entire exchange will be effected in as short a time as possible. The information can be given the prisoners.

S. COOPER,
Adjutant and Inspector General.

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*See Series I, Vol. XLIX, Part I, pp. 710, 711.

RICHMOND, *February 16, 1865.*

Hon. S. R. MALLORY, *Secretary of the Navy:*

SIR: The steamers Allison and Schultz, now engaged almost daily in the transportation of prisoners, are short of coal. It is of course very important that no impediment should exist in either sending off or receiving prisoners. I understand the parties owning the steamers have used every effort to supply themselves with coal, but without success. I will be very much obliged if you will direct Mr. Parker to furnish such a supply as will enable these steamers to discharge flag-of-truce duty.

Respectfully, your obedient servant.

RO. OULD,
Agent of Exchange.

BUREAU OF EXCHANGE, *February 16, 1865.*

Maj. T. P. TURNER, *Commanding, &c.:*

MAJOR: I will thank you to have all the paroled men who are in prison quarters and 200 of the strongest convalescents from hospital put aboard the Allison by 8 a. m. to-morrow.

Put the remaining hospital patients aboard the Schultz by 9 a. m. Send the nine or more officers received from Danville yesterday on the Allison.

Very respectfully, your obedient servant,

WM. H. HATCH,
Assistant Agent of Exchange.

[First indorsement.]

FEBRUARY 16, 1865.

Surgeon SEMPLE:

Please let me know if you can carry out the first part of the within, or at least to what extent, and do so as far as you can. Return this paper.

THOS. P. TURNER,
Major &c.

[Second indorsement.]

GENERAL HOSPITAL No. 21.
Richmond, Va., February 16, 1865.

Respectfully returned.

The order can be carried out in relation to sick and wounded.

G. WM. SEMPLE,
Surgeon in Charge.

RICHMOND, *February 16, 1865.*

General B. T. JOHNSON:

Florence prisoners will be sent to Salisbury—7,000.

W. M. GARDNER,
Brigadier-General.

HEADQUARTERS OF THE ARMY,
Washington, February 17, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In accordance with your directions I respectfully report:

First. It is contrary to the usages of war to force a prisoner of war to return to the enemy's ranks. If he declines to return, he is, in regard

to his own Government, a deserter, and desertion from an enemy is always to be encouraged.

Second. The President's proclamation encourages rebel soldiers to leave their ranks and resume their allegiance to the United States. To compel prisoners of war who are willing to abandon the rebel cause and take the oath of allegiance to return to the rebel ranks would not only be a violation of the usages of war, but an abandonment of the policy of the President's proclamation.

Third. The enemy has no claim whatever upon us to return such of his men as voluntarily choose to remain with us.

Fourth. No rebel prisoner has during this war been returned to the enemy against his will. To force such to return now would expose them to punishment by their own authorities for having offered to desert their cause.

Fifth. Most of the prisoners who have expressed an unwillingness to be exchanged are from Missouri, Kentucky, Tennessee, Arkansas, and Louisiana, States now in or about to return to the Union. To force back into the rebel ranks such of their citizens as wish to be loyal would be unjust to these States as well as to the individuals themselves. I think that on a full consideration of this matter General Grant would be disposed to change his recommendation. It is much cheaper to feed an enemy in prison than to fight him in the field.

Very respectfully,

H. W. HALLECK,
Major-General and Chief of Staff.

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, February 17, 1865.

The within official copies of papers on the subject of shipping Confederate cotton at Mobile are respectfully furnished for the information of Judge Robert Ould, agent of exchange, C. S. A.*

U. S. GRANT,
Lieutenant-General.

[First indorsement.]

FEBRUARY 23, 1865.

Respectfully referred to Honorable Secretary of War through Colonel Bayne.

RO. OULD,
Agent of Exchange.

[Second indorsement.]

FEBRUARY 27, 1865.

Respectfully forwarded to the Secretary of War.

The cotton was promptly provided by N. Harleston Brown. The inclosed letter of General Maury explains any delay in sending it out.

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* See Granger to Maury, December 7, 1864, Vol. VII, p. 1200; Maury to Granger, December 12, 1864, *Ibid.*, p. 1217; Maury to Commanding Officer U. S. Naval Forces, December 19, 1864, *Ibid.*, p. 1247; Maury to Granger, December 22, 1864, *Ibid.*, p. 1261; Special Orders, No. 61, District of West Florida and South Alabama, December 24, 1864, *Ibid.*, p. 1265; Granger to Maury, December 25, 1864, *Ibid.*, p. 1271; Jenkins to Maury, December 26, 1864, *Ibid.*, p. 1276; Noyes to Montgomery, January 5, 1865, p. 27; Noyes to Montgomery, January 13, 1865, p. 67; Maury to Cooper, January 15, 1865, p. 77; Noyes to Montgomery, January 16, 1865, p. 82; Halleck to Canby, January 16, 1865, p. 79; Granger to Christensen, January 25, 1865, p. 128, *ante*.

To insure promptness the orders to General Maury were telegraphed by the Secretary of War immediately after the agreement was made with General Grant.

THOMAS L. BAYNE,
Lieutenant-Colonel.

HEADQUARTERS OF THE ARMY,
Washington, D. C., February 17, 1865.

Lieutenant-General GRANT, *City Point:*

GENERAL: I am directed by the Secretary of War to forward to you the inclosed letter of General Beall, and to say that General Vance has been released on parole to assist General Beall, and also that three officers have been sent to the prison depots as agreed upon. It will be seen from this letter that all the proceeds of the rebel cotton are devoted to supplying the rebel prisoners with new clothing, shoes, and blankets. Not a cent is expended for provisions. The result is that we feed their prisoners and permit the rebel Government to send cotton within our lines, free of all charge, to purchase and carry back the means of fitting out their own men for the field. Under these circumstances the Secretary of War is not disposed to sanction the admission of any more cotton on the same terms.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

[Inclosure.]

NEW YORK CITY, *February 10, 1865.*

Honorable SECRETARY OF WAR, *Richmond, Va.:*

I have the honor to report that 830 of the 1,000 bales of cotton which were to be sent to this city, sold, and the proceeds to be expended to supply prisoners [of] war, under the late agreement made between General Grant and Col. R. Ould, arrived here on the 24th of January. The remaining 170 bales, on account of the incapacity of the vessel, the U. S. transport Atlanta, to bring them, were left with the U. S. quartermaster at Fort Morgan, Ala., and are daily looked for. The cotton reached this place in very bad condition and the bill of lading shows that it was received in this condition. It had all to be repicked and rebaled and was sold at public auction on the 8th; averaged $82\frac{48}{100}$ cents per pound, which is considered by the best judges to have been a remarkably good sale. The long delay in the arrival of the cotton has caused it to bring far less than was expected at the time of the agreement. The waste in transporting the cotton, which was in a very bad condition, was considerable. The proceeds of the cotton will furnish but a small portion of the actual wants of the prisoners, and some arrangement should at once be made to send an additional quantity of cotton under the agreement, and I would respectfully suggest that it be sent from a convenient point, and that the delay be as little as possible. I have purchased 16,983 blankets, 16,216 jackets and coats, 19,888 pair of pants, 19,000 overshirts, 5,948 pair of drawers, 10,140 pair of socks, 17,000 pair of shoes, and have since the 4th instant been sending the supplies to the different prisons daily. I take pleasure in stating that the U. S. officers in Boston, Philadelphia, Baltimore, and this city have treated me with courtesy and given every facility in their

power to enable me to carry out the arrangement. I visited those cities for the purpose of examining the market and to make purchases.

A few days since a large number of packages, principally tobacco, arrived via flag of truce for the prisoners and are being sent forward as fast as possible. My assistant adjutant-general, Capt. Beall Hempstead, who is a prisoner of war at Johnson's Island, could be of great assistance to me, and I respectfully ask that an arrangement be made that will permit his being paroled and permitted to join me at this place.

I have the honor to be, very respectfully, your obedient servant.

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

CITY POINT, VA., *February 17, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

I am told that prisoners coming from the North to be exchanged inquire particularly about the privileges extended to deserters under the provisions of Special Orders, No. 3, of January 4, 1865, from these headquarters. Would it not be well to have the order circulated at all the prison camps?

U. S. GRANT,
Lieutenant-General.

[First indorsement.]

FEBRUARY 18, 1865.

Respectfully referred to the Adjutant-General to issue the order.

H. W. HALLECK,
Major-General and Chief of Staff.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE, *February 27, 1865.*

Respectfully referred to the Commissary-General of Prisoners, with fifty copies of Special Orders, No. 3,* to carry out the wishes of the General-in-Chief.

E. D. TOWNSEND,
Assistant Adjutant-General.

CITY POINT, VA., *February 17, 1865.*

Brig. Gen. W. HOFFMAN:

Please forward as soon as possible all rebel prisoners who are or have been in close confinement or in irons for special exchange for the same class of prisoners in the South.

U. S. GRANT,
Lieutenant-General.

WASHINGTON CITY, D. C., *February 17, 1865.*

Maj. Gen. E. R. S. CANBY, *Commanding, New Orleans, La.:*

SIR: The inclosed papers, with your indorsement of 21st ultimo,† have just reached me from Fort Monroe, to which point they had been

* See Series I, Vol. XLVI, Part II, p. 828. † See p. 109.

addressed. The Secretary of War desires that the arrangements for exchange within your command, which had been agreed upon but were interrupted by order from Lieutenant-General Grant or from the Department itself, be carried out under your direction, care being taken that more men shall not be delivered by us than shall be received. I take this occasion to remark that, so far as I am informed, the interruption above referred to resulted from a suggestion or an expressed wish on the part of Major-General Butler, who desired to have the exclusive control of the subject of exchange, with which, as he alleged, the action of other officers, not acting under his immediate orders, interfered. The Executive, with a view of allowing General Butler the fullest trial of his ability in the matter of exchanges, conceded everything to his wishes. But with all the power that was given to him he was unable to accomplish any desirable results, the rebel authorities persistently refusing to hold any communication with him, and the only business that has been done on the subject of exchanges, apparently by General Butler, was accomplished through Lieutenant-Colonel Mulford, with whom Mr. Ould, the rebel commissioner, was willing to correspond.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols., Commissioner for Exchange of Prisoners.

WASHINGTON, D. C., *February 17, 1865.*

Brig. Gen. A. SCHOEPF, *Commanding Fort Delaware, Del.:*

GENERAL: Arrangements have been made for a general exchange of prisoners, and those now at Fort Delaware will be forwarded to City Point from time to time as transportation can be provided. None will be included who do not wish to be exchanged, and none against whom there are any special charges or who are held as guerrillas unless specially ordered.

Please observe the instructions heretofore given in reference to forwarding prisoners for exchange. The transportation will be furnished by orders from the Quartermaster-General's Office.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS FORT WARREN,
Boston Harbor, February 17, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

SIR: Commodore Buchanan is not imprisoned at this post.

Very respectfully, your obedient servant,

H. A. ALLEN,

Major, Second U. S. Artillery, Commanding Post.

[FEBRUARY 17, 1865.—For Whipple to Wilson and Thomas to Forrest, relative to exchange of prisoners, see Series I, Vol. XLIX, Part I, pp. 735, 736.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., February 17, 1865.

Col. J. G. PARKHURST,
Provost-Marshal-General, Department of the Cumberland:

COLONEL: Inclosed I send you certain papers by which you will see that Generals Forrest and Roddey propose an exchange of prisoners; also a copy of a telegram from Lieutenant-General Grant authorizing such exchange, but leaving the arrangements still to be perfected.* The major-general commanding directs that you proceed to Eastport or Gravelly Springs, communicate with General Forrest by flag of truce, and make such arrangements as you can for this exchange, keeping in view the wishes of this department as expressed in the telegram of the lieutenant-general.

Regarding the permission for people to bring their cotton within our lines and take out the necessaries of life, that matter will be left to the Treasury Department. You will also ascertain whether it is practicable to effect an exchange of Roddey's men as he desires.

Very respectfully, your obedient servant,

WM. D. WHIPPLE,
Brigadier-General and Chief of Staff.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 17, 1865.

Lieutenant-General HOLMES, *Raleigh, N. C.:*

A general exchange of prisoners is agreed on. All will be delivered in fifteen days. So inform them.

J. A. CAMPBELL,
Assistant Secretary of War.

RICHMOND, *February 17, 1865.*

General J. A. WALKER, *Clover Depot:*

Forward the prisoners arriving at Danville from Raleigh to Richmond for exchange.

R. E. LEE,
General.

RICHMOND, *February 17, 1865.*

General T. H. HOLMES, *Raleigh, N. C.:*

Dispatch of 16th received. The guards ordered back are required for the prisoners. You must send the prisoners to Danville for exchange.

R. E. LEE,
General.

CHARLOTTE, *February 17, 1865.*

Major-General HOKE, *Wilmington:*

Please telegraph and urge forward the removal of prisoners from Florence, S. C. I will come on to act as soon as possible. I hope to meet prisoners in Wilmington. Do all you can to secure necessary transportation.

HENRY FORNO,
Colonel, Commanding Post.

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*See Series I, Vol. XLIX, Part I, p. 725.

CHARLOTTE, *February 17, 1865.*

COMMANDING OFFICER MILITARY PRISON:

Has any of the prisoners from Florence arrived? Please answer.

H. FORNO,
Colonel, &c.

[Indorsement.]

Captain BOOTH:

CAPTAIN: I have just received this. Will you answer it, or shall I?

JOHN H. GEE,
Major, &c.

GOLDSBOROUGH, *February 17, 1865.*

Major PARKER:

Please inform me what disposition shall be made of the prisoners coming on to-day. I have no troops here to guard them.

Respectfully,

L. S. BAKER,
Brigadier-General.

WILMINGTON, *February 17, 1865.*

Brig. Gen. L. S. BAKER, *Goldsborough:*

I have no information of intention to locate prisoners in your district.

FRANCIS S. PARKER,
Aide-de-Camp.

SALISBURY, N. C., *February 17, 1865.*

General S. COOPER,
Adjutant and Inspector General C. S. Army:

GENERAL: I have the honor to acknowledge the receipt at Charlotte on the 14th instant of letter of instructions of February 10, from Col. R. H. Chilton, inclosing a communication from His Excellency the Governor of North Carolina to the Honorable Secretary of War, in regard to the suffering condition of the Federal prisoners at this post, and directing me to make an immediate inspection of the prison and full report of the subject. I have the honor to state that acting under my previous general instructions of December 5, 1864, and January 19, 1865, I included the condition of the military prison and treatment of the prisoners of war there confined in the general inspection of the post, in which I was engaged from the 1st to the 10th of February, and the results of my observations would have been immediately forwarded to the Department but for the fact that the post commander, Brig. Gen. Bradley T. Johnson, happened to be absent from the post during the whole time of my inspection, and I deemed it not less in accordance with the spirit of my instructions than the dictates of military propriety to withhold my report until I should have an opportunity of conferring with him upon the subject and of ascertaining how far it might be in his power to remedy the evils found to exist. Pending his return I was engaged in an inspection of the post of Charlotte, but immediately upon the receipt of Colonel Chilton's letter returned to this place, and on the 16th instant made a second inspection of the prison in company with General Johnson. The results of my two visits of inspection are respectfully submitted as follows:

I made three visits of inspection to the prison—January 31, in company with Maj. Mason Morfit, prison quartermaster; February 1, in

company with Maj. J. H. Gee, prison commandant, and the medical officer of the prison, and again, as already stated, on the 16th of February, with General B. T. Johnson. On the two occasions first named the weather was particularly pleasant and I saw the prison under the most favorable circumstances. On the 16th of February, immediately after a fall of snow and sleet, I saw it again, probably in its worst aspect. In my report I have endeavored carefully to distinguish between those causes of suffering which are unavoidable, and for the existence of which, therefore, the Government and its officers cannot be held responsible, and such abuses as, in my opinion, are justly chargeable to the neglect or inefficiency of the prison management.

I. Location and plan of the prison.—The location of the prison I regard as an unfortunate one, though I presume this with the Government at the time was a matter not of choice but of necessity. That it was already used as a prison for civilians and military convicts should have been an argument against its selection, not in its favor, unless it had been at the same time determined to remove the former classes of prisoners. The general plan of the prison may be seen from the diagram accompanying this report. The area inclosed and constituting the main prison yard is about eleven acres. I do not think, especially with the present number of prisoners (5,476 of all classes), that there can be any reasonable ground of complaint on the score of want of room. Water is obtained from nine wells within the inclosure and from the creek, one mile and a half distant, to which the prisoners are allowed to go, a certain number at a time, under guard, with buckets and barrels. The supply obtained from all these sources, however, is not more than sufficient for cooking and drinking purposes. The want of a running stream within the prison inclosure, for the purposes of washing and general sewerage, is therefore a serious objection. The proximity of the prison to the railroad affords every necessary facility for obtaining an adequate supply of fuel, which can be deposited in any quantity needed within less than 100 yards of the prison, and unloaded and transported by the labor of the prisoners themselves. A memorandum statement of Major Morfit, prison quartermaster, accompanying this report, shows the amount of fuel received, issued, and due the prisoners from January 1 to February 15, 1865. That they have not received the full amount due them during a season of more than ordinary inclemency I think is chargeable more probably to want of energy on the part of the post quartermaster, Capt. J. M. Goodman, than to any other cause. Both Major Gee and Major Morfit profess to consider the actual supply sufficient, but in this I think they are mistaken. The fact cited by Major Gee that the prison sutler buys all his fuel from the prisoners proves nothing, no more than their willingness to part with their newly-received supplies of clothing, a practice to check which General Johnson has been obliged to publish a stringent order forbidding citizens or soldiers from purchasing, proves that they are not in want of clothes.

The most serious objection to this choice of a site for a prison is, however, the character of the soil, which is a stiff, tenacious red clay, difficult of drainage and which remains wet for a long time, and after a rain or snow becomes a perfect bog. The system of drainage contemplates the double object of carrying off the surface water and cleansing the sinks, but cannot be said to be particularly successful in either point of view. In warm weather or in a season of drought the sinks would not fail to prove a source of great annoyance, and possibly of pestilence, not only in the prison, but in the town of Salisbury.

II. The prison commissariat.—Among the papers accompanying this report will be found a statement of the number of rations issued from

February 1 to February 15, 1865, showing the component parts of the ration and the quantity of each. Compared in quantity and kind with the rations issued to our own troops in the field, it will be seen that on this score the prisoners have no cause to complain. The rations are cooked before they are issued, and pains have been taken by General Johnson to see that no frauds are committed in this department to the injury of the prisoners. Bread and meat (or sorghum in lieu of meat) are issued every morning, rice or pea soup in the afternoon. The bread which I inspected in the bakery was of average quality and of the average weight of five pounds to the double loaf. A half loaf, therefore, the daily allowance of each prisoner, will average twenty ounces of bread, the equivalent of sixteen ounces of flour.

III. Clothing.—More than from any other cause the prisoners have suffered this winter from the want of sufficient and suitable clothing, being generally destitute of blankets and having only such clothes as they wore when captured, which, in the case of many of them, was during warm weather. Recently 3,000 blankets and 1,000 pair of pants have been received from the United States and are now being distributed under the supervision of three Federal officers sent here from Danville for the purpose. Additional supplies are expected, and it is probable that one principal cause of suffering will therefore soon be removed, one for which, however, the Confederate Government is under no circumstances chargeable, but which is ascribable solely to the neglect of their own Government. As already stated, General Johnson has taken every necessary step to prevent speculation upon the necessities of the prisoners by prohibiting all purchases from them of articles of clothing by soldiers or citizens.

IV. Prison quarters.—Three hundred tents and flies of mixed sizes and patterns were issued for the use of the prisoners of war in October by Major Morfit, prison quartermaster, and constitute the only shelter provided during the winter for a number of prisoners, amounting on the 7th of November to 8,740, and the 15th of February to 5,070. Major Morfit showed me the frame of a large barrack, of which he told me he had contemplated erecting five for the accommodation of the prisoners, but was stopped by an order two months ago from the Commissary-General of Prisoners, intimating the possibility of a speedy removal of the prisoners, and ordering all work of the kind to be suspended. The prisoners were not removed, and in my judgment if General Winder's order had never been issued Major Morfit's plan would have been found, in its conception, to involve great and unnecessary expense to the Government, probably not less than $75,000 or $100,000, and in its execution would probably have consumed the entire winter, and therefore have resulted in little practical benefit to the prisoners. A better plan would have been, failing to obtain a sufficient supply of tents, to have constructed cabins of pine logs and shingles, for which the material was at hand in abundance, and labor could have been furnished by the troops, or, if necessary, by details of the prisoners themselves, working under guard. In this way the garrison who guard the prisoners have been made comfortable; so might have been the prisoners. I cannot consider it, therefore, a matter of choice on their own part, that at the time of my inspection I found one-third of the latter burrowing like animals in holes under ground or under the buildings in the inclosure.

V. Prison hospitals.—One of the most painful features connected with the prison is the absence of adequate provision or accommodation for the sick. There is no separate hospital inclosure, but with a few exceptions, as will be seen from the diagram, all the buildings in the

prison yard are used as hospitals. The number sick in hospital February 15 was 546. There was an entire absence of hospital comforts—bedding, necessary utensils, &c. The reason assigned on the occasion of my first visit (February 1) was, that it was useless to supply these articles as no guard was kept inside of the prison yard and they would be inevitably stolen. Surg. John Wilson, jr., the medical officer at present in charge, is endeavoring to supply these deficiencies, and in the short interval of two weeks between my first and second visits had succeeded in effecting several improvements. Still much remains to be done. There are bunks for not more than one-half of the sick, the rest lie upon the floor or ground, with nothing under them but a little straw, which on February 16 had not been changed for four weeks. For a period of nearly one month in December and January the hospitals, I was told, were without straw. For this there is no excuse. I am satisfied that straw could have been obtained in abundance at any time, the county (Rowan) being one of the largest wheat-growing counties in the State, and I am assured by Captain Crockford, inspector of field transportation in this department, that the field transportation at this post has been in excess heretofore of the requirements of the post; that in January, when no straw was furnished, he found thirty animals standing idle in Captain Goodman's stable, and consequently ordered them to be turned over. The excessive rate of mortality among the prisoners, as shown by the prison returns herewith forwarded, merits attention. Out of 10,321 prisoners of war received since October 5, 1864, according to the surgeon's report, 2,918 have died. According to the burial report, since the 21st of October, 1864, a less period by sixteen days, 3,479 have been buried. The discrepancy is explained by the fact that in addition to the deaths in hospital, six or eight die daily in their quarters without the knowledge of the surgeons, and of course without receiving attention from them. This discrepancy, which in December amounted to 223, and in January to 192, in the first two weeks of February had diminished to 21. The actual number of deaths, however, outside of hospital during that period would show probably little falling off, if any, from the number in previous months. Pneumonia and diseases of the bowels are the prevalent diseases. The prisoners appear to die, however, more from exposure and exhaustion than from actual disease.

VI. Prison discipline.—Inside of the prison there appears to be no proper system of discipline or police. The prisoners are divided into ten divisions, each division into as many squads, the divisions in charge of a sergeant-major of their own number, the squads under a sergeant. Two roll-calls are nominally observed, the one in the morning being usually neglected. In the afternoon the prisoners are mustered by squads and counted by the prison clerk and his assistants. No details are made for the purpose of policing the grounds, except one of a sergeant and twelve men, who report to the surgeon. All sorts of filth are allowed to be deposited and to remain anywhere and everywhere around the quarters, unsightly to the eye and generating offensive odors and in time, doubtless, disease. Since the outbreak of November 25 no guard is kept inside the inclosure, except at the gates. Robberies and murders even are said to be of not unfrequent occurrence among the prisoners, usually charged to an association of the worst characters among them, known as "Muggers." But a few days before my first visit a negro prisoner in one of the hospital wards was murdered by one of these ruffians, and such is the state of terrorism inspired that none of the patients or attendants in the ward who saw the deed would lodge information against the murderer, who was at last only discovered and arrested through the agency of a detective.

The use of detectives and a counter association among the prisoners are the only dependence of the commandant for enforcing any kind of order, discipline, or police in the prison. The excuse given by Major Gee for not having the prison grounds properly policed was the want of tools and the danger of trusting picks, &c., in the hands of the prisoners. The excuse cannot be considered sufficient; wooden scrapers and hickory brooms, with wheelbarrows or boxes with rope handles, all of which can readily be furnished by the prison quartermaster, would answer every purpose. I subsequently brought the matter to the attention of General Johnson, who promised to issue the necessary orders upon the subject and see that they are enforced. Major Gee, the prison commandant, as an officer, is deficient in administrative ability, but in point of vigilance, fidelity, and in everything that concerns the security of the prison and the safe keeping of the prisoners, leaves nothing to be desired. As respects the general question of the condition of the prisoners I am of the opinion that so far as their sufferings have resulted from causes within the control of the Government or its officers they are chargeable (1) to the unfortunate location of the prison, which is wholly unsuitable for the purpose; (2) to the want of administrative capacity, proper energy and effort on the part of the officers of the Quartermaster's Department charged with the duty of supplying the prison.

To attempt an exact apportionment of the blame in this respect between Maj. Mason Morfit, the prison quartermaster, and Capt. James M. Goodman, the post quartermaster, would probably be irrelevant to the purpose of the present report. Having had occasion in a general inspection of the post of Salisbury to examine the affairs of both of these officers, I cannot say that I consider either of them as efficient in his present position.

I have the honor to be, general, very respectfully, your obedient servant,

T. W. HALL,
Assistant Adjutant and Inspector General.

[First indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
February 23, 1865.

Respectfully submitted to Honorable Secretary of War.

This is a "report of inspection of prison at Salisbury, N. C.," made in compliance with instructions from this office and based on complaints made by Governor Vance, of North Carolina. His Excellency the Governor only mentions in general terms that complaints of a distressing character had reached him of the destitute and suffering condition of the prisoners. The inspector reports that he made three visits to the prison; that on the first two visits the weather was pleasant, and that he saw the prison then in its most favorable aspect, but on the last the weather was bad, and that he saw it then in its worst aspect. He endeavors to distinguish between unavoidable causes of suffering and those justly chargeable to the neglect or inefficiency of the prison management, and furnishes a diagram of the plan and location of the prison, and reports that there can be no reasonable grounds of complaint for want of room, as the area is eleven acres, but that the water, supplied by wells and brought in buckets, &c., from a stream only half a mile from the prison, is only sufficient for drinking and cooking purposes, and that the want of a running stream within the prison is a serious objection; that the proximity of the prison to the railroad affords every facility for obtaining an adequate supply of fuel, and incloses a state-

ment of Major Morfit, quartermaster, of issue of fuel and amount due from January 1 to February 15, 1865, and charges the want of a full supply during the inclement weather to want of energy on the part of Captain Goodman, post quartermaster; that the fact cited by Major Gee that the prison sutler buys all of his fuel from the prisoners proves nothing, no more than their willingness to part with their newly received supply of clothing, a practice to check which General Johnson has issued an order forbidding citizens or soldiers to purchase, proves that they are not in want of clothes. He reports that the most serious objection to the prison is the character of the soil, a stiff, tenacious red clay, difficult of drainage, remaining wet for a long time after a rain or snow, and becoming a perfect bog; that the system of drainage neither carries off the surface water nor cleanses the sinks, and in a season of drought the sinks would prove a source of annoyance and probably a pestilence. He reports in reference to the commissariat that, compared with the rations that are issued to our troops in the field, it will be seen from the inclosed statement of rations issued from February 1 to 15, instant, 1865, that the prisoners have no cause to complain, and in reference to clothing, that the prisoners have suffered from the want of suitable clothing and blankets, but that recently 3,000 blankets and 1,000 pants from United States were issued, and, respecting the prison quarters, that 300 tents and flies of mixed sizes and patterns were issued in October, 1864, and constitute the only shelter that was provided during the winter for a number of prisoners, amounting in November to 8,740, and in February, 1865, to 5,070; that Major Morfit, quartermaster, exhibited the frame of a large barrack, which he had contemplated building, but which was fortunately stopped by the Commissary-General of Prisoners; that a better plan would have been to have constructed cabins of logs and shingles, for which the material was at hand in abundance, and they could have been erected by the prisoners, and that in this way the prisoners would, like the guard, have been made comfortable, and would not have been forced to burrow in the ground like animals. That respecting the prison hospitals, one of the most painful features connected with the prison is the absence of adequate provisions and accommodations for the sick; that there is no separate hospital inclosure, but with a few exceptions (see diagram) all the buildings in the prison yard are used as hospitals; that there were no hospital comforts—bedding, necessary utensils, &c.; that the reason assigned to him on his first visit was that it was useless to supply these articles, as no guard was kept inside of the prison yard, and that they would be stolen.

Surgeon John Wilson, jr., the medical officer at present in charge, is endeavoring to supply these deficiencies, and has succeeded in effecting several improvements; yet much remains to be done.

He reports that there are only enough bunks for one half of the sick, and that the rest have to lie on the floor or ground, with nothing under them but a little straw, which, on February 16, instant, had not been changed for four weeks. He reports that for a period of nearly one month (December and January) the hospital was without straw, and that there is no excuse, for straw could have been procured in abundance at any time, and that he was assured by Captain Crockford, inspector of field transportation, that the transportation of the post had been in excess of the requirements of the post; that in January, 1865, when no straw was furnished, he found thirty animals standing idle in Captain Goodman's stable, and consequently ordered them to be turned

over. He reports that the excessive rate of mortality (see reports herewith) merits attention; that out of 10,321 prisoners that were received since October 5, 1864, according to surgeon's report, 2,918 have died, but according to the burial report, that since October 21, 1864, a less period by sixteen days, 3,479 have died and been buried; that this discrepancy is explained by the fact that six or eight die daily in their quarters without the knowledge of the surgeons; that pneumonia and diseases of the bowels are prevalent, but that the prisoners appear to die more from exposure and exhaustion than from actual disease.

The inspector reports that there is no proper system of discipline and police of the prison; that all sorts of filth are allowed to be deposited and to remain anywhere and everywhere around the quarters, unsightly to the eye and generating offensive odors; that robberies and murders are said to be of frequent occurrence, and that the excuse for not having the grounds properly policed is the want of tools and the danger of trusting picks, &c., in the hands of the prisoners, but it is not good, for wooden scrapers and hickory brushes could have been furnished by the prison quartermaster, but that General Johnson has promised to have them provided.

In reference to the prison commandant, Major Gee, the inspector reports that he is deficient in administrative ability, though vigilant and faithful, and expresses the opinion that so far as the causes of their sufferings have been the result of want of attention on the part of the officers, they are chargeable (1) to the unfortunate location of the prison, which is wholly unsuited for the purpose; (2) to the want of administration, capacity, energy and proper efforts on the part of the officers of the Quartermaster's Department, who were charged with the duty of supplying the prison; and states that he does not consider either Major Morfit, the prison quartermaster, or Captain Goodman, post quartermaster, as efficient in their present positions.

R. H. CHILTON,
Assistant Adjutant and Inspector General.

[Second indorsement.]

WAR DEPARTMENT, *March 6, 1865.*

Respectfully referred to the Quartermaster-General.

This report reflects upon the prison and post quartermasters at Salisbury, N. C., in such manner as to call for further action. If the report be correct they should at least be removed to positions of less responsibility.

By command Secretary of War:

SAML. W. MELTON,
Assistant Adjutant-General.

[Third indorsement.]

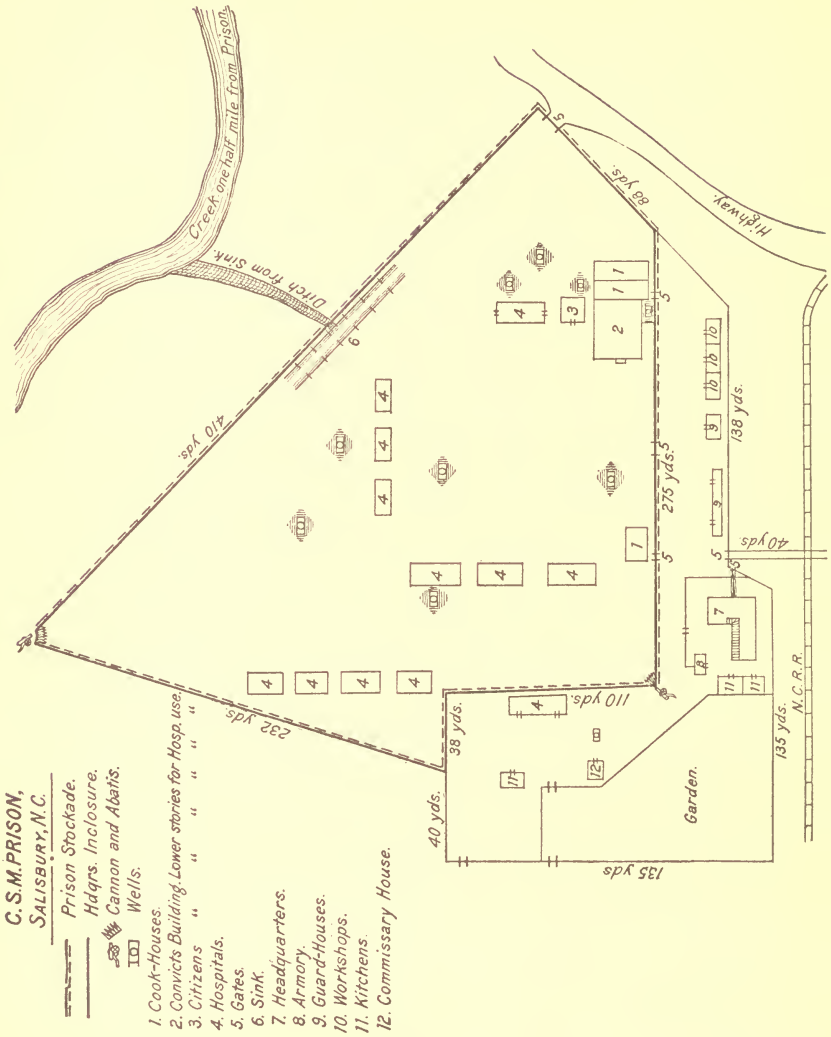
QUARTERMASTER-GENERAL'S OFFICE, *March 13, 1865.*

Respectfully returned to the Adjutant and Inspector General.

The prisoners formerly at Salisbury having been exchanged and Captain Goodman having been relieved from duty as post quartermaster at that point, no further action by this office seems to be necessary.

A. R. LAWTON,
Quartermaster-General.

[Inclosure No. 1.]



[Inclosure No. 2.]

FEBRUARY 16, 1865.

Memorandum of wood received, issued, and due the prisoners at post at Salisbury, N. C., during the month of January and to the 15th of February, 1865:

January.—Entitled to thirty-five cords per day; received thirty-one and eleven-thirtieths cords per day.

February 1 to 16.—Entitled to thirty-one and a half cords per day; received twenty-two cords per day.

MASON MORFIT,
Major and Quartermaster of Prison.

[Inclosure No. 3.]

Report of commissary stores received at C. S. military prison, Salisbury, N. C., from February 1 to 15, 1865.

Date.	Flour.	Flour.	Meal.	Meal.	Beef.	Offals.	Rice.	Salt.	Vinegar.	Molasses.	Peas.	Number of men drawn for.
	Bbls.	*Lbs.*	*Bbls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Gals.*	*Gals.*	*Lbs.*	
Feb. 1	6	131	26	.....	.....	.....	1,103	250	.....	130	.....	5,799
2	3	.....	28	130	675	.....	.....	.....	.....	66	.....	.....
3	24	98	5	98	1,581	400	.....	125	.....	.....	672	.....
4	36	.....	24	137	1,443	.....	.....	400	.....	207¼	1,131	.....
5*a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
6	7	.....	23	.....	1,060	.....	.....	130	.....	122	.....	5,673
7	10	.....	19	98	750	.....	.....	135	.....	45	590	.....
8	24	98	5	.....	.....	.....	994	270	.....	149	588	.....
9	30	.....	.....	.....	.....	.....	.....	.....	.....	123	.....	.....
10	24	98	4	175	559	.....	.....	256	31	54½	571	5,586
11	16	.....	42	34	.....	.....	.....	270	.....	149½	1,171	.....
12*a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
13	8	175	20	175	.....	.....	.....	270	.....	.....	579	.....
14	29	.....	.....	.....	.....	.....	.....	135	.....	.....	472	5,471
15	13	.....	15	80	1,100	.....	.....	.....	.....	.....	480	.....
Total ..	230	600	211	927	7,168	400	2,097	2,241	31	1,046¼	6,254	.....

a Sunday.

[Inclosure No. 4.]

Consolidated return for C. S. military prison, Salisbury, N. C., for 1865, from February 1 to 15 inclusive.

Date.	Received.	Recaptured.	Total received.	Escaped.	Died.	Sent to other posts.	Paroled, released, and exchanged.	Total died, escaped, sent off, paroled, released, and exchanged.	In prison quarters.	In hospital.	Total on hand.	Political prisoners.	Convicts.	Federal deserters.	Prisoners of war.	Negroes captured in arms.	Free negroes.	Total.
Feb. 1	....	....	....	....	19	.....	.....	19	5,322	538	5,860	142	144	37	5,486	34	17	5,860
2	3	....	3	....	13	.....	.....	13	5,309	541	5,850	142	144	37	5,476	34	17	5,850
3	....	....	....	....	20	.....	.....	20	5,283	547	5,830	142	144	37	5,456	34	17	5,830
4	....	....	....	3	27	.....	.....	30	5,258	542	5,800	142	140	37	5,430	34	17	5,800
5	....	....	....	3	18	....	1	22	5,232	546	5,778	142	136	37	5,412	34	17	5,778
6	....	....	....	....	18	68	....	86	5,148	544	5,692	142	136	37	5,326	34	17	5,692
7	1	....	1	....	22	.....	.....	22	5,120	551	5,671	143	135	37	5,305	34	17	5,671
8	....	....	....	....	31	.....	.....	31	5,099	541	5,640	143	135	37	5,274	34	17	5,640
9	....	....	....	....	17	.....	.....	17	5,074	549	5,623	143	135	37	5,257	34	17	5,623
10	....	....	....	1	28	.....	.....	29	5,048	546	5,594	142	135	37	5,231	32	17	5,594
11	53	....	53	....	25	.....	.....	25	5,079	543	5,622	145	183	37	5,210	30	17	5,622
12	....	....	....	....	24	33	....	57	5,023	542	5,565	145	183	37	5,153	30	17	5,565
13	....	....	....	....	17	.....	.....	17	4,998	550	5,548	145	182	37	5,139	28	17	5,548
14	....	....	....	....	26	14	....	40	4,956	552	5,508	144	181	37	5,101	28	17	5,508
15	....	....	....	....	22	10	....	32	4,930	546	5,476	143	181	37	5,070	28	17	5,476

Died, surgeon's report, 327; died, burial sergeant's report, 348; discrepancy, 21. This represents the number who died out of hospital, "in quarters," and were conveyed to the dead-house by sergeants of squads.

I certify that the above is a correct copy from the prison journal.

JNO. H. GEE,
Major, Commanding Prison.

[Inclosure No. 5.]

C. S. MILITARY PRISON HOSPITAL,
Salisbury, N. C., February 13, 1865.

Capt. G. W. BOOTH, *Assistant Adjutant-General:*

CAPTAIN: I respectfully report as follows:

Number of deaths among Federal prisoners in January, 1865:		
In hospital		499
In quarters		233
Number of deaths among Federal prisoners February 1 to 13:		
In hospital		195
In quarters		80
Total		1,007
Number of bunks required for February 3, 1865		100
Due upon requisition		100
Straw required for February, 1865	pounds	10,000
Straw received to February 13, two loads, estimated at	do	800
Due upon requisition		9,200

Very respectfully, your obedient servant,
JNO. WILSON, JR.,
Surgeon in Charge.

[Inclosure No. 6.]

HEADQUARTERS C. S. MILITARY PRISON,
Salisbury, N. C., February 1, 1865.

Capt. G. W. BOOTH, *Assistant Adjutant-General:*

CAPTAIN: I have the honor respectfully to transmit the following memorandum report for Capt. T. W. Hall, inspector, &c.

Very respectfully, your obedient servant,
J. L. TYERLY,
Clerk of Prison.

Total prisoners of war received from October 5, 1864, to February 1, 1865	10,321
Largest number prisoners of war on hand at one time, date November 6, 1864	8,740

Total mortality.

Hospital report—died:		
From October 5 to 31, 1864	224	
In November, 1864	761	
In December, 1864	858	
In January, 1865	748	
		2,591
Burial sergeant's report—buried:		
From October 21 to 31, 1864	193	
In November, 1864	917	
In December, 1864	1,081	
In January, 1865	940	
		3,131
Discrepancy		540
Recruited for First Foreign Battalion		653
Recruited for Major Andrews' battalion		677
Recruited for General York's battalion		407
Total recruited		1,737

[Inclosure No. 7.]

Consolidated return for C. S. military prison, Salisbury, N. C., for 1865, from January 16 to 31, inclusive.

Date.	Received.	Recaptured.	Total received.	Escaped.	Died.	Sent to other posts.	Paroled, released, and exchanged.	Total died, escaped, sent off, paroled, released and exch'd.	In prison quarters.	In hospital.	Total on hand.	Political prisoners.	Convicts.	Federal deserters.	Prisoners of war.	Negroes captured in arms.	Free negroes.	Total.
Jan. 16	2	...	2	...	26	3	.....	29	5,706	538	6,244	152	121	36	5,815	95	25	6,244
17	1	...	1	...	16	....	.....	16	5,688	541	6,229	150	120	36	5,803	95	25	6,229
18	29	6	35	...	25	....	1	26	5,710	528	6,238	154	142	35	5,787	95	25	6,238
19	8	...	8	...	24	....	1	25	5,677	544	6,221	153	149	35	5,764	95	25	6,221
20	....	1	1	...	15	....	.....	15	5,663	544	6,207	154	149	35	5,749	95	25	6,207
21	.....	.....	.....	.....	18	....	3	21	5,642	544	6,186	153	146	35	5,732	95	25	6,186
22	.....	.....	.....	.....	15	....	1	16	5,627	543	6,170	153	145	35	5,717	95	25	6,170
23	.....	.....	.....	.....	20	....	.....	20	5,606	544	6,150	151	145	35	5,699	95	25	6,150
24	.....	.....	.....	.....	14	....	.....	14	5,581	555	6,136	150	145	35	5,686	95	25	6,136
25	4	...	4	...	17	....	.....	17	5,568	555	6,123	150	149	35	5,669	95	25	6,123
26	.....	.....	.....	.....	38	....	.....	38	5,537	548	6,085	149	149	35	5,632	95	25	6,085
27	1	...	1	...	31	....	3	34	5,505	547	6,052	149	145	35	5,603	95	25	6,052
28	.....	.....	.....	8	28	1	.....	37	5,459	556	6,015	142	144	35	5,574	95	25	6,015
29	3	...	3	...	34	....	.....	34	5,430	554	5,984	142	144	35	5,543	95	25	5,984
30	.....	.....	.....	.....	21	....	.....	21	5,410	553	5,963	142	144	35	5,522	95	25	5,963
31	5	...	5	...	20	69	.....	89	5,232	538	5,870	142	144	37	5,496	34	17	5,870

The sixty-nine mentioned under the head of "sent to other posts" were negroes sent by order of Brigadier-General Winder, Commissary General of Prisoners, to Camp Maxcy Gregg.

I certify that the above is a correct copy from the prison journal.

JNO. H. GEE,
Major, Commanding Prison.

WAR DEPARTMENT,
Washington, D. C., February 18, 1865.

The PRESIDENT OF THE SENATE:

SIR: I have the honor to inform the Senate, in reply to its resolution of the 14th instant, that the judges of the circuit and district courts of the United States and of the District of Columbia have been furnished by the Judge-Advocate-General, by my direction, with a list of the names of the persons held as "state or political prisoners or otherwise than as prisoners of war," in compliance with the second section of the act entitled "An act relating to habeas corpus and regulating judicial proceedings in certain cases," approved March 3, 1863.

Shortly after the passage of said act, viz, on the 23d of March, 1863, Colonel Holt, Judge-Advocate-General, the chief law officer of the Department, was, by an order of that date, charged with the execution of the provisions of that act in the following instructions:

WAR DEPARTMENT, *Washington City, March 23, 1863.*

Hon. J. HOLT, *Judge-Advocate-General:*

COLONEL: I beg you to direct your attention to the provision of the late act of Congress requiring prisoners held under military authority to be released within a certain time, and to ask that proceedings may be taken against such as are not proper to be released, and that you will see that the provisions of that law are observed in regard to all persons held in military custody.

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

After these instructions the Judge-Advocate-General made report, transmitting to this Department a list of political prisoners, and reported that "duplicates had been furnished to the judges of the circuit and district courts of the United States in compliance with the requirements of the act of Congress." His report is as follows.*

I have no knowledge or information of any other persons held as state or political prisoners of the United States by order or authority of the President of the United States or of the Secretary of State, or of the Secretary of War, in any fort, arsenal, or other place, since the date of the report of the Judge-Advocate-General.

Prior to the passage of the act approved March 3, 1863, measures had been taken by the Secretary of War to examine and determine the cases of state and political prisoners by the appointment of commissioners to visit from time to time the military prisons, with authority to discharge all cases proper to be discharged. Since the passage of the act the same course has been pursued in regard to persons arrested by State authorities, or subordinate military commanders, without authority from the President, Secretary of State, or Secretary of War. In some of the military departments persons were occasionally arrested and held in military prisons as state or political prisoners, by order of State Executives or local military commanders, without any authority from the President, Secretary of State, or Secretary of War. Although these persons did not come within the terms of the act of Congress, measures were from time to time taken to have all such cases promptly investigated and the parties released, whenever it could be done without prejudice to the public safety. To that end a commissioner was appointed to investigate all cases of imprisonment at Camp Chase, and a special commission charged with similar duty, consisting of the Hons. Benjamin S. Cowen, Roswell Marsh, and Samuel W. Bostwick, visited the State prisons at Alton, Saint Louis, Camp Douglas, and elsewhere in the Department of the Missouri. Their instructions were as follows.†

A special commission, consisting of Judge King and Judge Bond, was also appointed for the examination of prisoners confined at Fort Delaware or elsewhere in the Middle Department. General Dix was also directed by the following order, dated the 12th of January, 1864, to investigate the cases of persons arrested and detained in Fort Lafayette and other military prisons in the Eastern Department, which have been used by direction of the President for the custody of persons seized by naval officers while engaged in blockade running or illicit trade, and which class of prisoners is not specified in the act of Congress of March 3, 1863.‡

The military prisons in the District of Columbia have been used for the custody of prisoners arrested by the military commanders of this and other Departments, as well as by the Navy Department. On the 1st of February, 1864, Major Turner, judge-advocate, was directed to investigate all cases of persons arrested and imprisoned in the military prisons of the District of Columbia, and has continued charged with that special duty until the present time. His instructions are as follows.§

Frequent inspections of military prisons, in addition to the foregoing measures, have also been made by officers especially assigned to that

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*Omitted here; see Vol. V, this series, p. 765.

†Stanton to Cowen, Marsh, and Bostwick, December 2, 1863, omitted here; see Vol. VI, this series, p. 627.

‡ *Ibid.*, p. 835.

§ Omitted here; see Order of War Department, dated February 1, 1864, *ibid.*, p. 896.

duty. Orders and instructions upon this subject, issued from time to time, are hereto annexed.*

I have the honor to be, very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., February 18, 1865.

Maj. Gen. H. W. HALLECK,
Chief of Staff of the Army, Washington, D. C.:

GENERAL: Your communication of the 15th instant, with inclosure, calling my attention to the fact that advantage is being taken by General Beall, Confederate agent, of the recent agreement between Judge Ould and myself to supply rebel prisoners with new uniforms and blankets, is received.

The arrangement for the relief of prisoners of war was made at a time when exchanges could not be made, and under it I see no way to prevent rebel prisoners from being clothed. Having, however, a very large excess of prisoners over the enemy, we can in making exchanges select those who have not been furnished with new clothing or blankets. By this means but a very limited number of rebel soldiers will be returned with new uniforms.

Should it become necessary prisoners for exchange can be required to turn their blankets over to their comrades who remain.

Please give orders to General Hoffman accordingly.

Very respectfully, your obedient servant,

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

FEBRUARY 20, 1865.

Respectfully referred to Brevet Brigadier-General Hoffman.

The Secretary of War directs that the recommendations of Lieutenant-General Grant be carried out.

H. W. HALLECK,
Major-General and Chief of Staff.

WAR DEPARTMENT,
Washington City, February 18, 1865.

Honorable SECRETARY OF THE NAVY:

SIR: Your letter of the 30th ultimo, recommending that certain persons captured in McIntosh County, Ga., be returned to Admiral Dahlgren to be exchanged for sick and wounded seamen whose terms of service have expired, having been referred to the Commissary-General of Prisoners with directions to comply with the request, is returned by him with the report that it is impossible to identify these parties on the records of his office unless their names are given. Whenever this information is furnished immediate measures will be taken to send the prisoners in question to Admiral Dahlgren.

I have the honor to be, sir, your obedient servant,

C. A. DANA.

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*Omitted here. See Orders War Department, dated February 14, 1862, Vol. II, this series, p. 221; February 27, 1862, *ibid.*, p. 249; July 31, 1862, Vol. IV, p. 343; September 8, 1862, *ibid.*, p. 497; Stanton to Tod, August 22, 1862, *ibid.*, p. 416; Turner to Galloway, November 5, 1862, *ibid.*, p. 690.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 18, 1865.

Lieutenant-General GRANT,
Commanding U. S. Army, City Point:

The only prisoner in irons at Johnson's Island is a citizen prisoner, Thomas F. Berry, who was so confined last night for killing a prisoner of war, Lieut. H. Morgan. Shall Berry be tried by commission or sent forward for exchange?

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *February 18, 1865—6 p. m.*

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

Thomas F. Berry, now in confinement at Johnson's Island for the murder of Morgan, a prisoner of war, may be tried where he is.

U. S. GRANT,
Lieutenant-General.

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37 BLEECKER STREET, *New York, February 18, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff U. S. Army:*

GENERAL: General Beall informs me that the officer commanding Fort McHenry has suggested to him that it might be convenient to make a depot of clothing at Baltimore for distribution to rebel prisoners in transit to our prisons, and asks leave to send General Vance thither to attend personally to such distribution. It is obvious that the method adopted at the prisons of intrusting this duty to officers confined in them is impracticable at Baltimore, the prisoners being all transient.

I respectfully recommend that this request be granted, and am of the opinion that no harm will result from permitting General Vance to deliver the clothing directly to the prisoners in the presence of our officers, but if that is deemed inadmissible he can be instructed to avoid personal intercourse with the prisoners.

Most respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

WASHINGTON, D. C., *February 18, 1865.*

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange, Washington, D. C.:

GENERAL: I have the honor to report that from the 25th of November, 1864, up to the 7th of February, 1865, both days inclusive, there have been delivered on parole at or near Aiken's Landing and at Savannah, Ga., to Lieutenant-Colonel Mulford, agent for exchange, the following officers and enlisted men of the Federal Army:

On the 25th of November, 1864:

232 non-commissioned officers, equivalent to	464
1,045 privates, equivalent to	1,045

Since the 25th of November, 1864:

7 colonels, equivalent to	105
7 lieutenant-colonels, equivalent to	70
8 majors, equivalent to	64
79 captains, equivalent to	474
158 lieutenants, equivalent to	632
1,052 non-commissioned officers, equivalent to	2,104
4,694 privates, equivalent to	4,694
Total	9,652

I would respectfully suggest that an understanding be had with Mr. Ould by which deliveries to the 7th of February, 1865, covering the number of officers and men given above, reduced to privates, may be declared exchanged. Colonel Mulford will be able to say at what date he had delivered an equal number of rebel prisoners, and upon this basis Mr. Ould can make an equivalent declaration, or, if it is thought advisable, the declaration may be charged against the 32,000 prisoners due us on declarations already declared by Mr. Ould.

Unless the paroled prisoners now being received are declared exchanged from time to time it will not be possible to provide for them at the three parole camps.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, D. C., *February 18, 1865.*

Brig. Gen. J. BARNES,

Commanding District of Saint Mary's, Point Lookout, Md.:

GENERAL: The prisoners of war who are to be forwarded for exchange from the West will be ordered to Point Lookout, but if transportation can be furnished at Baltimore some of them will probably be sent direct to City Point. Those who are landed at Point Lookout will not be taken upon your rolls, but will be held in readiness to be forwarded whenever called for by Colonel Mulford. A memorandum of all such arrivals and departures should be kept so that a full account of them can be given in figures. The guards which accompany them will return immediately to their posts from Point Lookout.

Prisoners who have been in close confinement or in irons have also been ordered to Point Lookout, to be forwarded for special exchange for the same class of prisoners. There will probably not be many. Keep them together and forward them by the first opportunity.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, D. C., *February 18, 1865.*

Col. T. INGRAHAM,

Pro. Mar. Gen., Defenses North of the Potomac, Washington, D. C.:

COLONEL: By direction of Lieutenant-General Grant, commanding U. S. Army, approved by the Secretary of War, you will forward all rebel prisoners who are now or who have been in close confinement or in irons at the Old Capitol Prison to Point Lookout for special exchange.

In addition to the usual parole-rolls send with them a history of each case, to be delivered to the commanding officer at Point Lookout.

Please report to this office the names, charges, &c., of such prisoners at the Old Capitol as will be forwarded under this order.

Very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 18, 1865.

Lieutenant-Colonel BURKE, *Comdg. Fort Lafayette, N. Y.:*

By order of Lieutenant-General Grant, send Commodore Buchanan, on parole for exchange, to City Point via Baltimore. Send an officer with him, who will report their arrival at City Point to General Patrick, provost-marshal-general. They must not delay by the way, and Commodore Buchanan must communicate with no person. Reply.

W. HOFFMAN,

Commissary-General of Prisoners.

(Copy to Major-General Dix, commanding Department of the East, New York.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 18, 1865.

Maj. H. A. ALLEN, *Comdg. Fort Warren, Boston Harbor:*

By order of Lieutenant-General Grant, you will send all rebel prisoners who are or have been in close confinement or in irons to Point Lookout for exchange. Send history of each case with rolls. Reply.

W. HOFFMAN,

Commissary-General of Prisoners.

(Same to commanding officers of all military prisons.)

HDQRS. U. S. FORCES, JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, February 18, 1865.

Bvt. Brig. Gen. WILLIAM HOFFMAN:

GENERAL: I have the honor to call your attention to a subject intimately connected with the matter of exchange, and respectfully ask to be informed what, if any, assurance can be given to those prisoners of war who desire to take the oath of amnesty rather than to be exchanged. They naturally desire definite information as to their prospect of release if they accept the first-named course. This I am unable at present to give, and I respectfully ask whether the refusal to be exchanged in cases where the corroborative evidence is satisfactory will be considered as a proof of a sincere desire to become a loyal citizen and insure to the applicant the benefit of the amnesty proclaimed by His Excellency the President.

I am, general, very respectfully, your obedient servant,

CHAS. W. HILL,

Colonel, Commanding.

[Indorsement.]

No action at present.

HEADQUARTERS C. S. ARMIES, *February 18, 1865.*

Lieut. Gen. U. S. GRANT, *Commanding U. S. Armies:*

GENERAL: I have received your letter of the 16th instant, and have submitted your proposition to release citizens held as prisoners by either party to the Secretary of War. I shall be glad if some arrangement can be made to release such persons from unnecessary suffering. I have no knowledge of the facts mentioned in the extract from the newspaper, but will direct inquiry to be made. I gave no order for the arrest of any citizen, and if it be true that those mentioned were taken by any of our forces I presume they are held as hostages generally for persons of the same class in the custody of the Federal authorities and not for particular individuals.

Very respectfully, your obedient servant,

R. E. LEE,
General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 18, 1865.

Capt. S. E. JONES, *Provost-Marshal, Louisville, Ky.:*

CAPTAIN: I am directed by the Commissary-General of Prisoners to inquire if there is a female military prison or hospital under your charge at Louisville distinct from the regular military prison and hospital, and to request, if such is the case, that you will report the number of prisoners confined there and the number of employés connected with it to this office.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

[Indorsement.]

LOUISVILLE, KY., *February 23, 1865.*

Respectfully returned to Brig. Gen. W. Hoffman, Commissary-General of Prisoners, with the information that there is no female prison or hospital under my charge, but that there is one at this place under command of the post commandant, organized under orders from Brevet Major-General Burbridge, commanding District of Kentucky. It is learned from the officer in immediate charge (whose reports are inclosed herewith)* that there are 20 women and 14 children confined in it, and 1 doctress, 1 stewardess, and 1 orderly connected with the hospital department, and 1 commissioned officer, 2 non-commissioned officers, and from 7 to 11 privates acting as guards of the prison.

STEPHEN E. JONES,
Captain and Additional Aide-de-Camp.

RICHMOND, *February 18, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

SIR: I have the honor to request that you will kindly inform me (if in your judgment it may be proper to do so) if there is a prospect of the reprieve or commutation of sentence of Lieut. S. B. Davis by the United States Government. I am assured positively that two communications

* Omitted.

on the subject were received through the chief of the Signal Bureau on last Tuesday night or Wednesday morning (the 15th), one from the War Deparment at Washington, the other from General Grant, asking for information in relation to the mission of Lieutenant Davis, the nature of his business, the character of his papers, &c. I am sure you will sympathize with my anxiety to know if there was any connection between those communications and my joint letter on Lieutenant Davis' behalf to Mr. Assistant Secretary of War, C. A. Dana, and the managing editor of the New York Tribune, Mr. S. H. Gay, which letter you had the goodness to forward on the night of Saturday, the 11th, through General Lee and General Grant. I presume the dates and signatures of the communications from Washington and General Grant would show if there is any such connection, as there certainly seems to be, between the inquiries made in those communications and the assurances contained in my letter of personal intercession.

Hoping that I may not appear presumptuous in respectfully asking that my anxiety on this subject may be relieved,

I have the honor to be, sir, most respectfully and faithfully, your obedient servant,

J. W. PALMER,
Signal Office.

[Indorsement.]

Have no information on the subject.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 18, 1865.

General BRAXTON BRAGG, *Wilmington, N. C.:*

All prisoners of war, not officers, from South Carolina are to be exchanged at Wilmington as soon as they arrive. Detail an officer to superintend the operation. Give directions that they be forwarded to you.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 18, 1865.

General B. BRAGG, *Wilmington, N. C.:*

Detain* the prisoners in Wilmington who are there. Recall any who have been sent off. Open correspondence with the enemy in regard to deliveries. Complete arrangements are made as to all the South Carolina prisoners.

J. A. CAMPBELL,
Assistant Secretary of War.

COMPANY SHOPS, *February 18, 1865.*

His Excellency the PRESIDENT:

I find the enemy's prisoners being transported from Raleigh to Salisbury, and have assumed the responsibility of ordering them to Richmond. It would be well for the War Department to repeat the order.

*In copy as received by Bragg it reads "Deliver."

Those now at Salisbury should be removed as rapidly as possible. The superintendent of the North Carolina Railroad assures me he can move all in few days.

BRAXTON BRAGG.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 18, 1865.

Lieut. Gen. T. H. HOLMES, *Raleigh, N. C.:*

Send prisoners of war from South Carolina, not officers, to Wilmington for immediate exchange.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 18, 1865.

Col. H. FORNO, *Charlotte, N. C.:*

Send the South Carolina prisoners to Wilmington, not officers, for exchange.

J. A. CAMPBELL,
Assistant Secretary of War.

COMPANY SHOPS, N. C., *February 18, 1865.*

General B. T. JOHNSON:

The War Department has directed the transfer to Richmond of all the enemy's prisoners now in this military department as rapidly as possible. You should allow nothing but the transportation of military stores. I have ordered every facility to be extended by the railroad.

BRAXTON BRAGG.

RICHMOND, *February 18, 1865.*

General BRADLEY T. JOHNSON:

All South Carolina prisoners of war, except officers, are to be exchanged at Wilmington. If any have arrived send them back.

W. M. GARDNER,
Brigadier-General.

CHARLOTTE, *February 18, 1865.*

General B. T. JOHNSON, *Commanding Post:*

I am here with the Federal officers prisoners. To whom shall I report? Colonel Forno and Colonel Hoke both give me orders, and I am placed in an open field, utterly impossible to guard with raw reserves.

E. GRISWOLD,
Major, Commanding.

CHARLOTTE, *February 18, 1865.*

General BRADLEY T. JOHNSON:

Surgeon Clopton, medical purveyor, here and has 200 tents, which he will furnish you upon order from Surgeon-General. Better telegraph for it at once.

R. J. ECHOLS,
Major, &c.

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
Wilmington, February 18, 1865.

Col. GEORGE JACKSON, *Commanding Post:*

COLONEL: The attention of the major-general commanding has been called to the fact that some of the citizens of this place have shown their cordial disposition to the Federal prisoners passing over the railroad by sending supplies to the depots for distribution among them. The commissary department is fully able to meet all requirements, needs no assistance, and you are strictly enjoined to prevent all communication with the prisoners either by citizens or soldiers.

I am, colonel, very respectfully, &c.,

FRANCIS S. PARKER,
Acting Assistant Adjutant-General.

[COMPANY] SHOPS, *February 18, 1865.*

General BRAXTON BRAGG:

Please have the Raleigh and Gaston Railroad to furnish trains to assist in moving prisoners and stores from Goldsborough. I find here a dispatch from General Beauregard urging the removal of all stores from Charlotte without delay.

T. J. SUMNER,
Engineer and Superintendent.

[Indorsement.]

Prepare for 10,000 men from here to Charlotte. Raleigh and Gaston will be advised to aid you. Prisoners go back to Wilmington for exchange there.

HEADQUARTERS POST, *Salisbury, N. C., February 18, 1865.*

Brig. Gen. WILLIAM M. GARDNER, *Richmond:*

GENERAL: I have the honor to call your attention to the condition of this post. The troops here, three regiments of reserves and one battalion, being without a quartermaster, are dependent on the post quartermaster for supplies, pay, fuel, &c. The prisoners, 5,500, are equally dependent on him, the prison quartermaster, Major Morfit, being restricted to drawing all supplies from that officer. These three regiments of reserves during the month of January were entitled to 356 cords 42 feet of wood. They received from him 270, a deficit of 86 cords 42 feet; nearly one-fourth. Up to February 15 they were entitled to 179 cords of wood. They received 34 cords, a deficit of 145 cords; more than four-fifths. The suffering among green troops and old men in consequence of this dereliction of the proper officer may be imagined. The prisoners are ill-clad and poorly sheltered. Their food is fair; not so full as is necessary to endure hardship and exposure. The only hospitals are buildings within the prison inclosure, where the only amelioration we can give to their sufferings are rude pine bunks and straw to lie on; without them, they lie on the bare floor or earth with little or no covering.

On the 1st of February Doctor Wilson, prison surgeon, made a requisition for 10,000 pounds of straw; also 100 bunks. Up to 13th of February he had received 800 pounds of straw and no bunks; the sick prisoners, therefore, laid on the bare ground, and from 1st to 31st of January, 732 of them died. From February 1 to February 13, 275 died.

It is proper to state that Captain Goodman's (the post quartermaster) excuse for not furnishing fuel is that transportation on the railroad, on which he depended, has been interrupted. For the same reason he alleges he could not get lumber to make bunks; and the straw, he says, he could not get. This county abounds in the latter article. For a county as full of wood as this, energy and methodized industry would have formed a depot to provide for such contingencies as a temporary failure of supplies.

His main employment is to furnish these troops and prisoners. Forage is collected by Captain Hanes, assistant quartermaster, here for that purpose, and the resources of the country are abundant in labor and material to furnish everything requisite.

I have waited for two months in hopes that I could remedy these evils, but my authority over staff officers being only as inspector under General Orders, No. 48, Adjutant and Inspector General's Office, series 1864, I am powerless. I therefore urgently and respectfully ask that he be relieved at once. The evils are pressing and need instant remedy.

He is an intelligent officer, but needs the industry, energy, and method necessary for such a trust as this. He is, unfortunately, unable to co-operate in harmony with the other staff officers at this post, and his efficiency, for this reason, is impaired if not destroyed.

His report of employés for February 15 shows 27 exempts, light-duty men, conscripts, &c., employed as clerks, mechanics, &c., and 83 negroes, teamsters, laborers, &c., besides a fatigue party of from 40 to 60 men from the troops constantly employed in cutting wood. This force is more than ample to do everything necessary to be done if properly managed. I cannot be responsible for the troops committed to my charge and the lives and safe-keeping of prisoners without a change is made in this office, and this officer relieved.

I am, general, very respectfully, your obedient servant,

BRADLEY T. JOHNSON,
Brigadier-General.

[First indorsement.]

HEADQUARTERS POST, *Richmond, February 21, 1865.*

Respectfully forwarded approved. It is believed that one quartermaster (Major Morfit) is alone sufficient for this post.

W. M. GARDNER,
Brigadier-General.

[Second indorsement.]

BUREAU ADJT. AND INSP. GEN., APPOINTMENT OFFICE,
March 2, 1865.

Respectfully referred to the Quartermaster-General.

By command of the Secretary of War:

ED. A. PALFREY,
Lieutenant-Colonel and Assistant Adjutant-General.

[Third indorsement.]

QUARTERMASTER-GENERAL'S OFFICE, *March 9, 1865.*

Respectfully returned to the Adjutant and Inspector General with the remark that Maj. M. Morfit has been heretofore ordered to assume the duties of post quartermaster at Salisbury, N. C. Captain Goodman, who is regarded as an efficient officer, has been directed to repair to Chester, S. C., with a view to his assignment to duty at that point. Capt. M. J. Bearden has been assigned to duty with reserve forces at Salisbury.

A. R. LAWTON,
Quartermaster-General.

HEADQUARTERS OF THE ARMY,
Washington, February 19, 1865.

Major-General GILLMORE, *Hilton Head, S. C.:*

GENERAL: The Secretary of War directs that all rebel prisoners of war in your hands who wish to be exchanged be sent to Lieutenant-General Grant, at City Point. Those who do not wish to be exchanged and desire to take the oath of allegiance under the President's proclamation may be sent to New York, the officer sent in charge to telegraph here on his arrival for instructions.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General and Chief of Staff.

WAR DEPARTMENT, *Washington, February 19, 1865.*

Brigadier-General MORRIS:

My telegram of yesterday directing prisoners to be forwarded was by order of Lieutenant-General Grant, and is superior to orders issued by Major-General Sheridan.

W. HOFFMAN,
Commissary-General of Prisoners.

FORT WARREN, *February 19, 1865.*

Lieut. Col. J. E. MULFORD,
Agent of Exchange, Fortress Monroe, Va.:

COLONEL: The undersigned, prisoners of war, would respectfully submit to you the following statement:

We are officers of the late C. S. steamer Alabama, which vessel was destroyed by the U. S. ship Kearsarge off Cherbourg on the 19th of June last. The Alabama being sunk, we were taken to the Kearsarge, and by that vessel carried into the port of Cherbourg and were there allowed by Captain Winslow to remain on shore on the condition that we would return to the Kearsarge whenever ordered to do so. At the end of two weeks we were ordered aboard, and, the steamer being ready for sea, proceeded to Dover, England. Here we were allowed to leave the ship, subject to the same conditions as at Cherbourg. We remained on shore six weeks, when we were again ordered on board, and the Kearsarge proceeded to sea on a cruise. She went to various parts of the Atlantic Ocean, and at length arrived in the United States on the 7th of November. We were at once sent to Fort Warren, which place we reached on the 10th of November, and at which place we still are. Our object in making this statement is to show that at the time a general naval exchange took place in last October we were prisoners of war and were not included in that exchange for the reason that we were not in the United States. Had we, instead of being held on board of a ship, been confined in one of the military prisons of the United States we presume we would have received the benefit of that exchange. In view of this we would respectfully ask to be paroled here, with orders to report to you, we bearing our own expenses. We

think the faithful manner in which we observed our paroles both in France and England will be a sufficient guarantee for us here.

Very respectfully,

MILES J. FREEMAN,
Chief Engineer of the C. S. Steamship Alabama, C. S. Navy.
BENJ. P. McCASKEY,
Boatswain, C. S. Navy.

BRISTOL, TENN., *February 19, 1865.*

Hon. JOHN C. BRECKINRIDGE, *Richmond, Va.:*

You will pardon me for addressing you direct on official business. Inclosed you find a letter from provost-marshal-general at Knoxville.* The prisoners have arrived, also Hall and Plumlee, which makes seventeen in all. Now I must insist that seven Union citizen prisoners be forwarded to me immediately to give for these—man for man; then Seth Lea, to exchange for W. W. Wallace, who they still hold at Knoxville; but I think my Government should send all citizen prisoners to me to be exchanged. But I shall be satisfied with eighteen to exchange for those lately sent here. I have commenced the arrest of Union citizens as hostages for all those arrested since General Carter's agreement and mine, and shall continue to arrest man for man as they continue to do so.

My command is increasing every day. We are receiving some supplies in the way of clothing. We are determined to fight it out, and doing all that we can to put our command under good discipline for the spring campaign. General Echols is very industrious and doing all he can.

We have been looking for an advance of the enemy for several days, but no advance as yet.

Anything you can do for Judge Barton will be thankfully remembered by us in this end of the department.

I would be glad to hear from you at any time.

Very respectfully, your obedient servant,

J. C. VAUGHN,
Brigadier-General.

[First indorsement.]

WAR DEPARTMENT, *March 2, 1865.*

Respectfully referred to Judge Ould.

It is presumed that the arrangement effected with the Federal commander as to exchange of all citizen prisoners will avoid the necessity of sending prisoners to General Vaughn.

By command of the Secretary of War:

SAML. W. MELTON,
Assistant Adjutant-General.

[Second indorsement.]

MARCH 5, 1865.

Respectfully returned to Honorable Secretary of War.

I expect to deliver by the next boat that goes down all the civilians who are now in confinement. They have been all ordered here for that purpose. To send them to Bristol would not only delay their release, but I think break the effect of the movement. I wish to have the

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*See Trowbridge to Vaughn, February 8, p. 196.

power of saying to General Grant, "Here is every citizen prisoner we have—release ours in return." I have already the assurance that at least an equal number will be released. I believe the enemy will do even more.

RO. OULD,
Agent of Exchange.

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
February 19, 1865.

COMMANDING GENERAL U. S. FORCES, *Fort Fisher, N. C.:*

SIR: I have the honor to state that 2,500 Federal prisoners have been set apart by the War Department, Confederate Government, for exchange at the city of Wilmington. If you are willing to receive them I will send to-morrow by steamer 1,500 to such point on the right bank of the river about Fort Anderson as may be designated. An early answer is desired.

Very respectfully, your obedient servant,

R. F. HOKE,
Major-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 19, 1865.

General BRAGG, *Wilmington, N. C.:*

An agreement for the delivery of any and all prisoners at Wilmington is concluded. The prisoners in North Carolina will be forwarded. Duplicate lists of the deliveries should be taken with a receipt of the Federal officers upon it. The prisoners should be paroled. Colonel Ould will communicate with you. Officers are included.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 19, 1865.

General BRAGG, *Wilmington, N. C.:*

Lieutenant-Colonel Hatch goes to superintend delivery of prisoners. All the North Carolina prisoners are for delivery there.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 19, 1865.

Lieutenant-General HOLMES, *Raleigh, N. C.:*

All able-bodied prisoners, whether officers or not, are to be sent to Wilmington for delivery. Lieutenant-Colonel Hatch is en route to superintend.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 19, 1865.

COMMANDANT AT SALISBURY, N. C.:

All able-bodied prisoners, whether officers or not, are to be delivered at Wilmington. Lieutenant-Colonel Hatch is en route to superintend. Do not send any to Richmond.

J. A. CAMPBELL,
Assistant Secretary of War.

RICHMOND, *February 19, 1865.*

General BRAXTON BRAGG, *Raleigh:*

I send my assistant, Captain Hatch, to Wilmington this evening to take charge of the delivery of Federal prisoners at that place. He will report to you on arrival. I will thank you to render him such assistance as is in your power.

RO. OULD,
Agent of Exchange.

RALEIGH, *February 19, 1865.*

General R. F. HOKE:

Prisoners are to be exchanged at Wilmington. Retain what you have and stop all who arrive.

B. BRAGG.

SALISBURY, *February 19, 1865.*

Hon. J. A. CAMPBELL, *Assistant Secretary of War:*

General Bragg ordered me to send all prisoners immediately to Richmond. Send me authority to take the transportation from Western North Carolina Railroad to assist in transporting them; also, authority to arm such Confederate convicts as are here and are proper to assist in guarding them.

BRADLEY T. JOHNSON,
Brigadier-General.

SALISBURY, *February 19, 1865.*

Mr. THOMAS J. SUMNER, *Company Shops:*

I am ordered to remove all prisoners from here to Richmond at once. I have 400 waiting at the depot now. What transportation can you offer me and what arrangements can you make to take the Western Railroad transportation to take them to Greensborough?

BRADLEY T. JOHNSON,
Brigadier-General.

RICHMOND, *February 19, 1865.*

Brig. Gen. BRADLEY T. JOHNSON:

Send all able-bodied prisoners of war, including officers, at Salisbury to Wilmington, to be delivered to the United States. All sick and Federal citizens will be sent to Richmond. Duplicate lists will be made

and prisoners paroled. Lists forwarded with prisoners to Captain Hatch. Use large clerical force. First detachment might be sent without delay and lists made for the rest.

W. M. GARDNER,
Brigadier-General.

GREENSBOROUGH, *February 19, 1865.*

General BRAGG:

Conflicting orders received about prisoners. No prison or sufficient guard here. Advise me what to do.

J. C. HOLMES,
Major, Commanding.

CHARLOTTE, *February 19, 1865.*

Brig. Gen. B. T. JOHNSON:

Prisoners much excited about exchange. It would be very injudicious to remove Lieutenant Long just now.

H. FORNO,
Colonel, &c.

SUGAR LOAF, *February 19, 1865.*

Major PARKER:

The supplies given the Yankee prisoners by the commissary are sufficient. You will give strict orders to Colonel Jackson to allow no communication with them whatever by citizens or soldiers, which must be carried out.

R. F. HOKE,
Major-General.

WASHINGTON, *February 20, 1865.*

Lieutenant-General GRANT:

General Hoffman reports, in answer to your telegram of the 15th, that there were then no prisoners of war in irons at Johnson's Island. On the 17th Thomas F. Berry was placed in irons for killing another prisoner, viz, Lieut. Harlin Morgan.

H. W. HALLECK,
Major-General.

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37 BLEECKER STREET, *New York, February 20, 1865.*

General W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: General Beall calls my attention to two requisitions for supplies for prisoners received from Johnson's Island and Fort Warren, in which bedsacks are included, and requests that these be furnished by the U. S. authorities. I am not informed as to the rule adopted by the War Department, but suppose the general will not be required to furnish the bedsacks. If I am right allow me to ask you to give the proper instructions in these cases.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 23, 1865.

Respectfully returned to Brig. Gen. H. E. Paine.

General Beall is at liberty to furnish bedsacks for the prisoners in our hands or not, according to his own judgment of their necessity. Bedsacks have not been furnished for the use of Federal prisoners held by the enemy at the South, nor are they likely to be unless by our own Government.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS FORT WARREN,
Boston Harbor, February 20, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

SIR: There are three prisoners of war confined at this post who have been held in close confinement. Two of them refuse to be sent South for exchange. The other will be forwarded at once.

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

WASHINGTON, D. C., *February 20, 1865.*

Capt. S. E. JONES, *Louisville, Ky.:*

Telegram received. Telegram of the 18th covers all rebel prisoners in close confinement or in irons, whether sentence is published or not.

W. HOFFMAN,
Commissary-General of Prisoners.

WASHINGTON, D. C., *February 20, 1865.*

Capt. S. E. JONES, *Provost-Marshal, Louisville, Ky.:*

CAPTAIN: In reply to your letter of the 31st ultimo, I am directed by the Commissary-General of Prisoners to inform you that loyal clergymen may be permitted to hold service in the prison on the Sabbath, provided the prisoners desire it, but they cannot be allowed to visit the barracks or converse with individuals. Prisoners seriously ill in the hospital may, if they request it, be assisted by a clergyman.

Prisoners of war reported to this office will not be transferred from one prison to another unless by direction of the Commissary-General of Prisoners. Applications for the return of a prisoner for trial should be made to this office. Prisoners turned over to you as prisoners of war should be forwarded to permanent depots. It is not incumbent upon you to investigate their cases.

Paragraph 2 of Circular No. 4 has been so modified as to allow the purchase by prisoners of such vegetables as are necessary for their health. No other change has been made in the circular.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

HEADQUARTERS ROCK ISLAND BARRACKS, ILL.,
February 20, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

Thirteen hundred and thirty prisoners decline to be exchanged.

A. J. JOHNSON,
Colonel, Commanding Post.

HEADQUARTERS CAVALRY,
DEPT. OF EAST TENNESSEE AND SOUTHWEST VIRGINIA,
Bristol, February 20, 1865.

Brig. Gen. L. S. TROWBRIDGE,
Provost-Marshal-General, Department of East Tennessee:

GENERAL: I have the honor to acknowledge the reception of your communication of 8th instant, forwarding list of citizens who had been released in compliance with the agreement entered into by General Carter and myself.

You state that "A. C. Plumlee and Wm. Hall are held by the civil authorities and not as hostages." The names of these parties were on the list given me by General Carter at our interview in November last. They had been in prison, in a distant State for nearly eighteen months, in military confinement, in a military prison, and under the control of the military authorities. They were not then, and I have every reason to believe never were at any time, in the custody of the civil authorities either of the State of Tennessee or of the United States. If they are now held as prisoners of state, it can only be an afterthought, and I hold that good faith on the part of the military authorities at Knoxville requires that these parties should be released under the cartel of General Carter and myself. I would also beg leave to call your attention to the fact that W. W. Wallace was one of the parties whose name was given me by General Carter, who has long been in military confinement, and who, I am informed, was some months since brought to Knoxville for the purpose of being released, from some cause is still in custody at Knoxville. You make no allusion to him in your communication. I have understood, unofficially, that he is held as a hostage for one Seth Lea, in our custody. Why Mr. Wallace was not released and sent forward with those whose names you forward me I do not understand. If he is held for the especial purpose of being exchanged for Lea, I would remark that this is not in accordance either with the spirit or letter of General Carter's and my agreement. I would beg leave respectfully to call your attention to the fact that our agreement in no manner contemplates an exchange; for to that, we had invariably, on previous occasions, and on the occasion of General Carter's meeting myself in November, refused to accede. The arrangement contemplated and provided for only an unconditional release. You may not be aware of the fact, but of that General Carter had full information, that on the basis of exchange, in consequence of the condition of things between the general agents of the two Governments, no general or special arrangements could be made concerning the prisoners of this department. The consequence has been that I have not been able to effect the release of Lea from confinement, in order that I might return him to your authorities. I can accomplish his release and that of others only on the ground of the release contemplated and provided for by General Carter and myself. Whenever Wallace and others thus held by you for special

exchange are permitted to enjoy the benefits of the general release will I be able to forward such prisoners as we hold, coming within the purview of the agreement of November last.

Permit me also to call your attention to the fact that James Vaughn, my father, was also, under the agreement of your predecessor and myself, to have been released from confinement at Louisville, Ky., and permitted to return to his home in Monroe County. He is a citizen, an aged and infirm man, and with no charges of any character against him.

I have reliable information that the reported death of Judge Van Dyke is not true, and that he is still in confinement at Camp Chase. I would also refer you to the fact that you are laboring under mistake as to the release of Crouch, Scruggs, Lindsay, and Biltenton. They are still in prison at Camp Chase. You also hold J. A. Sperry, Goforth, and others—citizens who were captured and carried off from this place during the late raid of Major-General Stoneman. I have had some intimations, though not officially, that these parties, or some of them at least, have been turned over by the military to the civil authorities. I know not who or how many are kept in prison under this pretext. The agreement of General Carter and myself not only provided for the release of such citizens as were then in confinement and custody, but also that no other or further arrests of that character should be made. The arrest of these last-named and other citizens was clearly in violation of that agreement, and the mere fact of the subsequent transfer of those parties to the civil authorities does not purge the action of bad faith or release the military authorities from responsibility for their release and return.

I hope soon to be able to send to your lines all citizen prisoners now held by our authorities from the Department of East Tennessee, and would have done so ere this but for difficulties over which I had no control.

I would also take occasion to inform you that I have recently had George Netherlands, of Hawkins County, arrested, and he is now in custody as a hostage for a William Blackburn, of Claiborne County, an aged citizen, who was arrested during the raid, and is now, I am informed, in prison at Knoxville. Unpleasant as the duty may be, and as much at variance as it is with the spirit and intentions animating your predecessor and myself in our interview and agreement at New Market, I am reluctantly compelled, in consequence of the disregard of that agreement on the part of the Federal authorities in persisting in the arrest and confinement of citizens, to resort to this mode of retaliation. Justice to the citizens who are made thus to suffer for their opinions' sake requires it at my hand, and candor requires me to give you timely information that I will continue to arrest man for man one Union citizen for every Southern man arrested on your side. I will in carrying out this determination have regard to those and all of those who have been arrested since the 10th of November, the date of the New Market agreement.

I promised General Carter orally that I would wait a reasonable time for the release of Jos. B. Heiskell, in whose case he said there were some difficulties over which he could not then exercise full control, but he hoped to be able to effect his discharge in a short time. Mr. Heiskell is still in confinement, and I have given orders for the arrest of citizens to be held as hostages for him. Permit me, however, general, to give you my solemn assurance that whenever a proper disposition shall be exhibited by the U. S. authorities to carry out the letter

and spirit of our agreement, entered into in November at New Market, which can be illustrated only by the release of all citizen prisoners now in your custody and by ceasing to make any such arrests in future, I will gladly not only discharge all we hold, but will throw full and inviolable protection around all Union citizens in the same manner.

I am, general, very respectfully, your obedient servant,

JOHN C. VAUGHN,

Brig. Gen., Comdg. Cav., Dept. of East Tenn. and Southwest Va.

OFFICE EXCHANGE OF PRISONERS,

Mobile, February 20, 1865.

Col. C. C. DWIGHT, *Agent of Exchange, New Orleans:*

COLONEL: I have the honor to inform you that I have at my disposal for purpose of exchange some fifty-six prisoners belonging to General Canby's command, whom I am desirous of exchanging for a like number of the prisoners whom General Canby holds in New Orleans or on Ship Island, not embraced in agreements already made.

I am informed that you hold as prisoners of war the following prisoners and men, whom I would request you to embrace in the exchange, viz: Capt. Henry Pope, assistant quartermaster, captured near Pollard; Lieut. Hugh L. Davis, aide-de-camp to General Hodge, C. S. Army, captured in the late raid by General Lee, U. S. Army, and now on Ship Island; Capt. J. E. Mooney, Company C, Weatherby's battalion sharpshooters, captured in East Louisiana, now, I think, on Ship Island; private Paul W. Collins, now on Ship Island; Mr. E. Montgomery, a citizen, captured near the Mississippi River, traveling on private business; F. M. Hash, B. C. Wood, and ——— Bruce and T. J. Stevens, privates, all belonging to Gibson's Company F, late Lay's regiment of cavalry, captured in East Louisiana; Private R. F. Burion, Captain Amos', company cavalry, captured in raid on Pollard; Mr. Manuel Palmer, a citizen taken at Pollard.

I would also propose to exchange the officers and men who were captured in the late raids in West Florida, and whom you still hold in your department.

If you think it necessary or useful for the purpose of facilitating the exchanges proposed that we should have a personal conference, I will be ready to meet you in Mobile Bay, in the neighborhood of the upper fleet, some distance below the obstructions, at any time which you may designate.

I am, colonel, very respectfully, your obedient servant,

JAMES R. CURELL,

Major and Assistant Commissioner of Exchange.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,

Richmond, Va., February 20, 1865.

Colonel FORNO, *Charlotte, N. C.:*

Send the able-bodied prisoners, including officers, to Wilmington. By order:

J. A. CAMPBELL,

Assistant Secretary of War.

GOLDSBOROUGH, *February 20, 1865.*

General HOKE, *Wilmington:*

Unless the prisoners are in danger they should be retained. Our agent is now on his way from Richmond to deliver them, under an agreement with the Federal Government, and no doubt instructions from that Government are on the way.

BRAXTON BRAGG.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
February 20, 1865.

General B. BRAGG:

Better forward the prisoners at once to their destination.

R. E. LEE.

RICHMOND, *February 20, 1865.*

General B. BRAGG:

Secretary of War orders all able-bodied prisoners to Wilmington for exchange.

W. M. GARDNER,
Brigadier-General.

RICHMOND, *February 20, 1865.*

Brigadier-General JOHNSON:

Secretary of War still directs prisoners be sent to Wilmington.

W. M. GARDNER,
Brigadier-General.

RICHMOND, *February 20, 1865.*

Brigadier-General JOHNSON:

The Secretary of War orders all prisoners to Wilmington. I repeat telegram sent yesterday:

Send all able-bodied prisoners of war, including officers, at Salisbury to Wilmington, to be delivered to the United States. All sick and Federal citizens will be sent to Richmond. Duplicate lists will be made and prisoners paroled. Lists forwarded with prisoners to Captain Hatch. Use large clerical force. First detachment might be sent without delay and lists made for the rest.

W. M. GARDNER.
Brigadier-General.

RALEIGH, *February 20, 1865.*

General BRAGG, *Goldsborough:*

Secretary of War telegraphs all officers and men to be exchanged.

T. H. HOLMES,
Lieutenant-General.

SALISBURY, *February 20, 1865.*

General BRAXTON BRAGG:

Judge Campbell and Brigadier-General Gardner ordered me on yesterday (19th) to send all able-bodied prisoners, officers included, to

Wilmington for exchange. Colonel Hatch is on his way there. Please telegraph Sumner and change orders accordingly.

BRADLEY T. JOHNSON,
Brigadier-General.

WILMINGTON, *February 20, 1865.*

J. A. CAMPBELL, *Assistant Secretary of War:*

The enemy have not answered my communication about the exchange of prisoners.

R. F. HOKE,
Major-General.

WILMINGTON, *February 20, 1865.*

Judge CAMPBELL, *Assistant Secretary of War:*

Will attend to prisoners as soon as enemy agree to receive them.

R. F. HOKE,
Major-General.

WILMINGTON, *February 20, 1865.*

General B. T. JOHNSON:

Send no prisoners here. Enemy refuse to receive them.

R. F. HOKE,
Major-General.

WILMINGTON, *February 20, 1865.*

Brig. Gen. L. S. BAKER, *Goldsborough:*

Let no prisoners come here. The enemy refuse to receive them, and I send those here to Goldsborough. Two thousand leave this evening.

R. F. HOKE,
Major-General.

FORKS ROAD, *February 20, 1865.*

Major PARKER, *Acting Assistant Adjutant-General:*

The enemy declines having anything to do with the Yankee prisoners. You must send them away from Wilmington.

R. F. HOKE,
Major-General.

CHARLOTTE, *February 20, 1865.*

Brig. Gen. B. T. JOHNSON:

I respectfully advise that you march the prisoners to be exchanged to Greensborough and not wait for transportation.

WM. J. HOKE,
Colonel, Commanding.

FLORENCE, [*February*] *20, 1865.*

General BRAGG:

The railroad authorities refuse sending trains with Federal prisoners to Wilmington. If they cannot be so sent, they must fall into the hands of the enemy.

J. H. WILLIAMS,
Lieutenant-Colonel, Commanding Post.

[First indorsement.]

FEBRUARY 20, 1865.

Respectfully referred to Major Cameron, chief quartermaster.

The prisoners are ordered to this point by the War Department, and transportation must be afforded.

By order, &c.:

FRANCIS S. PARKER,
Acting Assistant Adjutant-General.

[Second indorsement.]

OFFICE CHIEF QUARTERMASTER, DEPT. OF N. CAROLINA,
Wilmington, February 20, 1865.

Captain Grainger will immediately communicate with the railroad authorities and inform them that the prisoners and public stores must come forward at once. It is understood that there is ample means of transportation for both.

JNO. W. CAMERON,
Major and Chief Quartermaster.

[Third indorsement.]

Respectfully returned to Major Cameron.

Captain Drane has gone on this morning, and he promised everything should come on at once. I have telegraphed Mr. Grice.

J. B. GRAINGER,
Captain and Assistant Quartermaster.

EXCHANGE BUREAU, *Richmond, February 20, 1865.*

Capt. John C. Rutherford, assistant adjutant-general, has been directed to proceed to the South for the purpose of providing for the delivery of such Federal prisoners as are in Georgia, Alabama, and Mississippi, at Mobile. He will deliver them to the Federal commander near that place in pursuance of an agreement made between the U. S. authorities and myself. If it is impracticable to deliver them at Mobile, such point near to the same as may be convenient can be selected, with the assent of the Federal military authorities at such place. Only able-bodied persons are to be sent under this arrangement. He will use his best judgment as to invalids, sending them here when it is practicable. It is desirable, however, to deliver as many as he can at Mobile, of such as can well bear transportation. This arrangement is intended to include such Federal prisoners as are in the custody of military commanders in the field.

RO. OULD,
Agent of Exchange.

WYTHEVILLE, VA., *February 20, 1865.*

Maj. J. STODDARD JOHNSTON, *Assistant Adjutant-General:*

MAJOR: The lively sense that since the event we have entertained of the kindness and courtesy shown us by Major-General Stoneman on the occasion of our capture by the U. S. forces under his command at Bristol, Tenn., on the morning of the 14th of December last, makes all the deeper our regret that he should have by unworthy impugning in his communication to you our honor as gentlemen, destroyed the favorable impression then created. Since he has thought proper to descend from

his position of a magnanimous foe to cast upon us reflections that sully our honor as his peers in all that constitutes the gentleman, we feel it due to ourselves that we should meet his assertions with a plain and truthful statement with the hope that incorrect information has been the cause of this descent, and that when the truths here stated are presented to him he will be convinced of his error.

As you are aware, we were captured on the 14th of December, 1864, between the hours of 2 and 4 a. m. We were confined under guard until 10 o'clock p. m. of that day, when it was announced by a Confederate officer that General Stoneman was prepared to parole all medical and staff officers then present to report at Knoxville, Tenn., on the 20th of said month. We remonstrated against the limited time allowed for us to reach Knoxville and asked for transportation. The reply of the general was (which we can substantiate beyond a doubt) that he did not require us to report upon the very day specified in the parole, but expected us to be as prompt as circumstances would admit. As to transportation, we were at liberty to collect horses abandoned in the raid, which by a little rest and feed would be able to take us to Knoxville. We also applied to him for protection while en route in compliance with the conditions of our parole. This was at first refused, but subsequently we were informed that Colonel O'Neal, of the Fifty-fifth Regiment Kentucky (Federal) Volunteers, would return to Bean's Station the next morning (15th), and all who were prepared could accompany him. But even of this privilege some of us were ignorant, to the moment of his departure, and were thus unable to avail ourselves of the means of protection. The country in the vicinity of Bristol was then infested with bushwhackers and stragglers from all quarters, and everything was in a state of confusion, alarm, and uneasiness. Was it but natural then that those of us who have families to leave, with but the slightest protection in all this excitement, and among entire strangers, too, were willing to take the chances by remaining of being robbed, plundered, and even murdered on the way, in order to place them in a more secure and comfortable situation? We did nothing more than this, and the very moment we had thus located them and procured our horses we took up the line of march to Knoxville. All arrangements were made by the 17th, and on the morning of the 18th we started on our journey.

It appears that General Stoneman is laboring under the impression, which is false, that we remained at Bristol until the reoccupation of the country by the C. S. forces, and long after the time had expired in which we were required to report. When we set out for Knoxville we had sufficient time to reach there had we not been prevented. The C. S. troops did not occupy the country through which we had to pass for ten days after the raid, consequently it was impossible for us to have been recaptured by the C. S. forces proper; but when we had proceeded as far as Blountsville, Tenn., we were arrested by a company of scouts under Captain Bachman, Provisional Army, C. S., which body of men had never left Tennessee from the time the raid began, but had remained in rear of the enemy, harassing and annoying them whenever they could. We protested against our detention and requested Captain B. to allow us to proceed, but to no purpose. He brought us to Bristol under guard, where we were released with the understanding that we would report to General Breckinridge, commanding Department of Southwest Virginia and East Tennessee.

You will see by the wording of our passes, a copy of which is herewith inclosed, that we were allowed an indefinite time in which to comply with the requirements of our parole, and no blame should have been

attached had we remained even longer than we did. We have acted in good faith and honorably attempted to comply with the intentions of Major-General Stoneman's courtesy, and can but regret the parole he gave us and the course our Government has forced us to take regarding it has given occasion to that high functionary to threaten less suavity to Confederate officers under similar circumstances of capture in the future.

Very respectfully, your obedient servants,

BENJ. GILLESPIE,
Surgeon, Provisional Army, C. S.
WILLIAM JOHNSON,
Captain and Assistant Quartermaster.
G. S. FEENY,
Second Lieutenant, Provisional Army, C. S.

GENERAL ORDERS, No. 17. HDQRS. DEPARTMENT OF THE EAST, *New York City, February 21, 1865.*

I. The following general order will replace General Orders, No. 14, from these headquarters:

II. Before a military commission which convened at Fort Lafayette, N. Y. Harbor, and at New York City, by virtue of Special Orders, Nos. 14 and 42, current series, from these headquarters, of January 17 and February 17, 1865, and of which Brig. Gen. Fitz Henry Warren, U. S. Volunteers, is president, was arraigned and tried—

John Y. Beall.

CHARGE I: Violation of the law of war.

Specification 1.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, did, on or about the 19th day of September, 1864, at or near Kelley's Island, in the State of Ohio, without lawful authority, and by force of arms, seize and capture the steam-boat Philo Parsons.

Specification 2.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, did, on or about the 19th day of September, 1864, at or near Middle Bass Island, in the State of Ohio, without lawful authority, and by force of arms, seize, capture, and sink the steam-boat Island Queen.

Specification 3.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy at or near Kelley's Island, in the State of Ohio, on or about the 19th day of September, 1864.

Specification 4.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy, on or about the 19th day of September, 1864, at or near Middle Bass Island, in the State of Ohio.

Specification 5.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy, on or about the 16th day of December, 1864, at or near Suspension Bridge, in the State of New York.

Specification 6.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, being without lawful authority, and for unlawful purposes, in the State of New York, did, in the said State of New York, undertake to carry on irregular and unlawful warfare, as a guerrilla, and, in the execution of said undertaking, attempt to destroy the lives and property of the peaceable and unoffending inhabitants of said State, and of persons therein traveling, by throwing a train of cars, and the passengers in said cars, from the railroad track, on the railroad between Dunkirk and Buffalo, by placing obstructions across the said track.

All this in said State of New York, and on or about the 15th day of December, 1864, at or near Buffalo.

CHARGE II: Acting as a spy.

Specification 1.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy, in the State of Ohio, at or near Kelley's Island, on or about the 19th day of September, 1864.

Specification 2.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy, in the State of Ohio, on or about the 19th day of September, 1864, at or near Middle Bass Island.

Specification 3.—In this, that John Y. Beall, a citizen of the insurgent State of Virginia, was found acting as a spy, in the State of New York, at or near Suspension Bridge, on or about the 16th day of September, 1864.

To which charges and specifications the accused pleaded not guilty.

FINDING.

Of the first specification, first charge, guilty.
Of the second specification, first charge, guilty.
Of the third specification, first charge, guilty.
Of the fourth specification, first charge, guilty.
Of the fifth specification, first charge, guilty.
Of the sixth specification, first charge, guilty.
Of the first charge, guilty.
Of the first specification, second charge, guilty.
Of the second specification, second charge, guilty.
Of the third specification, second charge, not guilty as to the day averred, but guilty of acting as a spy, at or near Suspension Bridge, in the State of New York, on or about December 16, 1864.
Of the second charge, guilty.

SENTENCE.

And the commission does therefore sentence him, the said John Y. Beall, to be hanged by the neck until dead, at such time and place as the general in command of the department may direct, two-thirds of the members concurring therein.

III. In reviewing the proceedings of the court, the circumstances on which the charges are founded, and the questions of law raised on the trial, the major-general commanding has given the most earnest and careful consideration to them all.

The testimony shows that the accused, while holding a commission from the authorities at Richmond as acting master in the Navy of the insurgent States, embarked at Sandwich, in Canada, on board the Philo Parsons, an unarmed steamer, while on one of her regular trips, carrying passengers and freight from Detroit, in the State of Michigan, to Sandusky, in the State of Ohio. The captain had been induced by Burley, one of the confederates of the accused, to land at Sandwich, which was not one of the regular stopping places of the steamer, for the purpose of receiving them. Here the accused and two others took passage. At Malden, another Canadian port, and one of the regular stopping places, about twenty-five more came on board. The accused was in citizen's dress, showing no insignia of his rank or profession, embarking as an ordinary passenger, and representing himself to be on a pleasure trip to Kelley's Island, in Lake Erie, within the jurisdiction of the State of Ohio.

After eight hours, he and his associates, arming themselves with revolvers and hand-axes, brought surreptitiously on board, rose on the crew, took possession of the steamer, threw overboard part of the freight, and robbed the clerk of the money in his charge—putting all on board under duress. Later in the evening he and his party took possession of another unarmed steamer (the Island Queen), scuttled her, and set her adrift on the lake. These transactions occurred within the jurisdiction of the State of Ohio on the 19th day of September, 1864.

On the 16th day of December, 1864, the accused was arrested, near the Suspension Bridge over the Niagara River, within the State of New York. The testimony shows that he and two officers of the Army of the insurgent States—Colonel Martin and Lieutenant Headley—with two other Confederates, had made an unsuccessful attempt, under the direction of the first named officer, to throw the passenger train coming from the West to Buffalo off the railroad track, for the purpose of robbing the express company. It is further shown that this was the third attempt in which the accused was concerned to accom-

plish the same object; that between two of these attempts the party, including the accused, went to Canada and returned, and that they were on their way back to Canada when he was arrested. In these transactions, as in that on Lake Erie, the accused, though holding a commission from the insurgent authorities at Richmond, was in disguise, procuring information, with the intention of using it, as he subsequently did, to inflict injury upon unarmed citizens of the United States and their private property.

The substance of the charges against the accused is that he was acting as a spy, and carrying on irregular or guerrilla warfare against the United States; in other words, that he was acting in the twofold character of a spy and a guerrillero. He was found guilty of both charges and sentenced to death, and the major-general commanding fully concurs in the judgment of the court. In all the transactions with which he was implicated—in one as a chief, and in the others as a subordinate agent—he was not only acting the part of a spy, in procuring information to be used for hostile purposes, but he was also committing acts condemned by the common judgment and the common conscience of all civilized States, except when done in open warfare, by avowed enemies. Throughout these transactions he was not only in disguise, but personating a false character.

It is not at all essential to the purpose of sustaining the finding of the court, and yet it is not inappropriate to state as an indication of the animus of the accused and his confederates, that, the attempts to throw the railroad train off the track were made at night when the obstruction would be less likely than in the daytime to be noticed by the engineer or conductor, thus putting in peril the lives of hundreds of men, women, and children. In these attempts three officers, holding commissions in the military service of the insurgent States, were concerned. The accused is shown by the testimony to be a man of education and refinement, and it is difficult to account for his agency in transactions so abhorrent to the moral sense and so inconsistent with all the rules of honorable warfare.

The accused, in justification of the transaction on Lake Erie, produced the manifesto of Jefferson Davis, assuming the responsibility of the act and declaring that it was done by his authority. It is hardly necessary to say that no such assumption can sanction an act not warranted by the laws of civilized warfare. If Mr. Davis were at the head of an independent Government, recognized as such by other nations, he would have no power to sanction what the usage of civilized States has condemned. The Government of the United States, from a desire to mitigate the asperities of war, has given to the insurgents of the South the benefit of the rules which govern sovereign States in the conduct of hostilities with each other, and any violation of those rules should, for the sake of good order here and the cause of humanity throughout the world, be visited with the severest penalty. War, under its mildest aspects, is the heaviest calamity that can befall our race; and he who, in a spirit of revenge or with lawless violence, transcends the limits to which it is restricted by the common behest of all Christian communities should receive the punishment which the common voice has declared to be due to the crime. The major-general commanding feels that a want of firmness and inflexibility on his part in executing the sentence of death in such a case would be an offense against the outraged civilization and humanity of the age.

It is hereby ordered that John Y. Beall be hanged by the neck till he is dead, on Governor's Island, on Friday, the 24th day of February, instant, between the hours of 12 m. and 2 in the afternoon.

The commanding officer at Fort Columbus is charged with the execution of this order.

By command of Major-General Dix:

D. T. VAN BUREN,
Colonel and Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, February 21, 1865.

COMMANDING OFFICER FORT COLUMBUS, *New York Harbor:*

The major-general commanding the department directs me to inform you that the sentence pronounced in the case of John Y. Beall, viz, "to be hanged by the neck until dead," will be duly carried into execution at Fort Columbus, N. Y. Harbor, on Friday, the 24th instant, between the hours of 12 m. and 2 p. m., and that you are duly charged with the execution of the same.

This communication will be handed to you by Capt. Wright Rives, aide-de-camp, who will communicate the same to Mr. Beall.

I am, very respectfully, your obedient servant,

D. T. VAN BUREN,
Colonel and Assistant Adjutant-General.

HEADQUARTERS U. S. ARMIES, *February 21, 1865.*

Lieut. Gen. U. S. GRANT, *Commanding U. S. Armies:*

GENERAL: I am informed by the Secretary of War, to whom the proposition relative to citizen prisoners contained in your letter of the 16th instant was submitted, that our commissioners of exchange have already received instructions to effect an arrangement with those of the United States similar to that proposed by you. And I am also informed that it is intended that the release of citizen prisoners held by the Confederate authorities shall immediately follow the exchange of military prisoners now in progress. This fact renders it unnecessary to reply more fully to your specific question with reference to the prisoners referred to in your letter, and I hope there will be no difficulty in relieving all such prisoners on both sides.

Very respectfully, your obedient servant,

R. E. LEE,
General.

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37 BLEECKER STREET, *New York, February 21, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff U. S. Army:*

GENERAL: I have the honor to forward the petition of General Beall to be relieved from the internal revenue tax of 2 cents per pound on the cotton received from Mobile under the arrangement between Lieutenant-General Grant and Judge Ould, with the correspondence of Mr. Commissioner Lewis and Messrs. Duncan, Sherman & Co. on that subject.

Most respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

[Indorsement.]

Submitted to Secretary of War. No action.

H. W. HALLECK,
Major-General.

[Inclosure.]

75 MURRAY STREET, *New York, February 20, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

GENERAL: I have the honor to inclose copy of correspondence between my agents, Duncan, Sherman & Co., and the Commissioner of Internal Revenue, in reference to the tax claimed on the 830 bales of cotton transported from Mobile by the United States under the late agreement between General Grant and Colonel Ould, and to respectfully request that, the cotton being received in a Southern port and transported by the United States to this port, I be not required to pay the usual tax of 2 cents per pound. This, I think, the Government of the United States will agree to, and respectfully request that you lay the matter before the proper authorities.

I am, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner of War and Agent to Supply Prisoners of War.

[Sub-inclosure No. 1.]

NEW YORK, *February 1, 1865.*

Hon. JOSEPH J. LEWIS,
Commissioner Internal Revenue, Washington, D. C.:

SIR: There has been delivered to our care, for realization, 830 bales of cotton, brought from Mobile by the U. S. steamship Atlanta, under charge of Captain Noyes, of General Granger's staff, consigned to Brigadier-General Beall, agent for the relief of the prisoners of war at present held by the United States, by whom the same was handed over to us. The assessor of internal revenue has notified us to pay a tax of 2 cents per pound thereupon. This cotton has been sent by permission of and through the U. S. authorities, and the officers of custom have made no claim upon the same. We therefore submit whether General Beall shall be called on to pay the said tax of 2 cents per pound. Favor us with an early reply to the present, and oblige,

Your most obedient servants,

DUNCAN, SHERMAN & CO.

[Sub-inclosure No. 2.]

TREASURY DEPT., OFFICE INTERNAL REVENUE,
Washington, February 3, 1865.

Messrs. DUNCAN, SHERMAN & CO.,
Bankers, New York, N. Y.:

GENTLEMEN: I reply to your letter of February 1, in relation to 830 bales of cotton brought from Mobile, the section 177 of the act of June 30, 1864, provides that—

> Whenever any cotton, the product of the United States, shall arrive at any port of the United States from any State in insurrection against the Government, the assessor or assistant assessor shall immediately assess the taxes due thereon, and without delay return the same to the collector or deputy collector of the district, who shall demand of the owner, or other person having charge of such cotton, the tax, unless evidence of previous payment shall be produced.

I do not see that under this provision the assessor or collector, or this office, have any discretion in the matter except to assess and collect the tax. No cotton comes into our military lines unless by permission

of and through the U. S. authorities, and therefore the present case does not differ in that respect from any other.

Very respectfully, JOSEPH J. LEWIS,
Commissioner.

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75 MURRAY STREET, *New York, February 21, 1865.*

Brig. Gen. H. E. PAINE, U. S. Volunteers, *Present:*

I have the honor to request that if you have not forwarded the application to have me released from the 2 cents internal revenue on the cotton, I would ask that you state that no impost duty is charged on supplies received from the United States in the South for the benefit of Federal prisoners under the late arrangement. Also, I inclose to be forwarded a communication for commanding officers at Camp Morton and Camp Douglas, and Alton, Ill.

I am, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner of War and Agent to Supply Prisoners of War.

HUNTSVILLE, *February 21, 1865.*

Major-General THOMAS:

General Roddey wishes to know when the prisoners of his command will be sent to Decatur for exchange. He is ready to exchange an equal number of our men for them.

R. S. GRANGER,
Brigadier-General.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., February 21, 1865.

Maj. Gen. SAM. JONES,
Commanding Confederate Forces in Florida:

GENERAL: Your letter of the 17th instant is received. I cannot make the desired exchange because the matter is not within my province save in extraordinary cases, and this is not one. Ordinarily we cannot receive parties in transit without special permission from the War Department, but I think the circumstances of this case will justify my assent, and it is therefore given.

I am, very respectfully, and truly, yours,

E. P. SCAMMON,
Brigadier-General, Commanding.

HEADQUARTERS DISTRICT OF VICKSBURG,
Vicksburg, Miss., February 21, 1865.

It is stipulated between Brig. Gen. Morgan L. Smith, U. S. Army, commanding District of Vicksburg, and Col. N. G. Watts, and Lieut. Col. H. A. M. Henderson, of the Confederate Exchange Bureau, as follows:

First. Three thousand prisoners confined or captured within the limits of the Department of Alabama, Mississippi, and East Louisiana shall be placed upon their paroles of honor and brought to a camp established

near the city of Vicksburg, and there remain at the expense of the United States Government for forty days, or less if properly exchanged. If unavoidable delay should occur in the delivery of Confederate prisoners, the time may be extended a short period. The camp of the prisoners is to be denominated a parole camp, and it shall be properly guarded by the U. S. troops; over it shall wave a flag of truce, and the camp to be inviolate to the operations of the United States or the Confederate States. The exchange agents of the Confederate States and parties to this stipulation are to be allowed to remain at this camp and conduct the interest of the Confederate States in this proposed exchange.

Second. Brigadier-General Smith shall take immediate steps to have an equal number of officers and men prisoners of war of the United States forwarded to Vicksburg for the exchange of the prisoners referred to in the first clause of this stipulation. The prisoners shall be released in the following order:

(1) Those captured by the U. S. forces within the Department of Alabama, Mississippi, and East Louisiana.

(2) Those belonging to the cavalry command of Major-General Forrest, wherever captured.

(3) In the event that the foregoing clauses do not cover the number stipulated for exchange, that prisoners be forwarded belonging to the Army of Tennessee, commanded successively by General Bragg, General Johnston, General Hood, and now by General Taylor. These prisoners shall be guarded by U. S. forces to Big Black, and then turned over to the C. S. forces. When the delivery is effected the agents of exchange of the Confederate States will furnish such a paper as will justify the publication of an order of exchange by the U. S. authorities, and a similar paper shall be furnished by the U. S. authorities concerning the Confederate soldiers delivered.

Third. This exchange to be conducted rank for rank and man for man.

Fourth. General Smith stipulates upon the part of the United States that the prisoners of war included in this agreement shall be held strictly under terms, and acknowledges that the prisoners stipulated for are in actual custody, and under whatever conditions until regularly exchanged, as prisoners of war. No order, circular, or other paper shall declare them exchanged, nor under any possible circumstances shall they return to service without the full approval of the officers who stipulate in behalf of the Confederate States, subject to the approval of competent superior authority.

M. L. SMITH,
Brigadier-General.

We accept the above agreement without further reference.

N. G. WATTS,
Colonel and Agent of Exchange.
H. A. M. HENDERSON,
Lieutenant-Colonel and Assistant Agent of Exchange.

HEADQUARTERS ARMIES OF THE CONFEDERATE STATES,
February 21, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States:

GENERAL: I am informed by the Secretary of War of the Confederate States that General Schofield refuses to receive the prisoners

sent to Wilmington for exchange according to the agreement entered into with Commissioner Ould by yourself. This will cause great hardship to these prisoners, as they will have to be marched across the country without adequate provision for their subsistence or comfort. On the score of humanity I would ask that General Schofield be instructed to receive them in accordance with the agreement on the faith of which they were sent to Wilmington.

Very respectfully, your obedient servant,

R. E. LEE,
General.

HDQRS. DEPT. OF NORTH CAROLINA, ARMY OF THE OHIO,
Wilmington, N. C., February 21, 1865.

Maj. Gen. R. F. HOKE,
Commanding C. S. Forces, Wilmington, N. C.:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 19th instant, proposing to deliver to me 2,500 prisoners which have been set apart for exchange at Wilmington. I presume this proposition is based upon some new arrangement for the exchange of prisoners of which I have not been officially informed. Please inform me on what terms you propose to deliver the prisoners.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 21, 1865.

General R. E. LEE, *Commanding:*

General Bragg telegraphs that Schofield refuses to receive prisoners at Wilmington. This is contrary to agreement with General Grant and occasions inconvenience and delay.

J. C. BRECKINRIDGE,
Secretary of War.

HEADQUARTERS, *February 21, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

Have telegraphed Bragg to urge reception of prisoners according to agreement and have written to General Grant.

R. E. LEE.

WILMINGTON, *February 21, 1865.*

General COOPER:

GENERAL: The Federal commander refuses to receive prisoners or to entertain any proposition in regard to them. On the contrary, he seems to avail himself of their presence to push his operations, and General Hoke was compelled to move them to the rear. No more should be sent for the present.

BRAXTON BRAGG.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
February 21, 1865.

General B. BRAGG:

I suggest you inform General Schofield that the arrangement for reception of prisoners at Wilmington was made by General Grant, and that his refusal will subject them to great suffering, as they will have to be marched through the country ill-provided.

R. E. LEE.

RALEIGH, *February 21, 1865.*

General S. COOPER:

The Federal authorities in Wilmington refuse to receive the prisoners. What shall I do with those here?

T. H. HOLMES,
Lieutenant-General.

RALEIGH, *February 21, 1865.*

General COOPER:

Federal prisoners (officers) have been returned to Danville. Federal authorities refuse to receive them at Wilmington. Say they must be delivered at Richmond.

T. H. HOLMES.

SALISBURY, N. C., *February 21, 1865.*

Brig. Gen. W. M. GARDNER, *Richmond:*

Major-General Hoke telegraphs me from Wilmington February 20 that Federal authorities refuse to receive prisoners. I am still sending them on as fast as possible. I shall probably have to march them to Greensborough.

BRADLEY T. JOHNSON,
Brigadier-General.

GREENSBOROUGH, *February 21, 1865.*

Brigadier-General JOHNSON:

All prisoners have gone. Trains will all be sent to Goldsborough for troops. Prisoners can be put on them as they return, and it will then be unnecessary to transship here.

MASON MORFIT,
Major.

GREENSBOROUGH, *February 21, 1865.*

General JOHNSON:

I have received orders from General Holmes to send no more prisoners to Wilmington. Federal authorities refuse to receive them.

J. C. HOLMES,
Major, &c.

SALISBURY, *February 21, 1865.*

Maj. Gen. ROBERT F. HOKE, *Wilmington, N. C.:*

The Secretary of War has sent me repeated orders to send prisoners to Wilmington. Captain Hatch, agent for exchange, will be there, I suppose by agreement with the Federal authorities.

BRADLEY T. JOHNSON,
Brigadier-General.

GOLDSBOROUGH, *February 21, 1865.*

General BRAGG:

Have seen dispatch of President Davis to you. Please direct General Holmes to stop prisoners at Raleigh, unless it is certain an exchange can be effected. The moving them to and fro takes up the transportation and prevents the moving away the supplies which have accumulated at this point.

L. S. BAKER,
Brigadier-General.

GOLDSBOROUGH, *February 21, 1865.*

General BRAGG:

Colonel Hatch telegraphs that he has Grant's order for exchange of prisoners at Wilmington. He wishes to go immediately through to Wilmington. Is it worth while for him to go on? Answer as soon as possible

L. S. BAKER,
Brigadier-General.

FEBRUARY 21, 1865.

General L. S. BAKER:

Colonel Hatch must not come.

BRAXTON BRAGG.

WILMINGTON, *February 21, 1865.*

Colonel HATCH, *Agent for Exchange:*
(Care of General Baker, Goldsborough.)

No prisoners should be brought this side of Goldsborough. The Federal commander refuses to entertain any proposition in regard to them, and avails himself of our embarrassment to push his operations. We are obliged to send away what we have.

BRAXTON BRAGG.

GOLDSBOROUGH, *February 21, 1865.*

General BRAGG:

Shall I send prisoners back to Salisbury this evening?

L. S. BAKER,
Brigadier-General.

GOLDSBOROUGH, *February 21, 1865.*

[General BRADLEY T. JOHNSON], *Commanding Officer:*

Send [no] more Federal prisoners to this point for the present. The Yankees at Wilmington refuse to receive them.

L. S. BAKER,
Brigadier-General.

CITY POINT, VA., *February 22, 1865—7.30 p. m.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

Please order General Gillmore to send here all rebel prisoners in his department for exchange.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *February 22, 1865—7.30 p. m.*

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

Please send for exchange all naval prisoners at Fort Lafayette and Fort Delaware. If Campbell and Marr have not been sent from Johnson's Island, have them sent forward at once. Some 15,000 of our prisoners will be received within the next six days, taking all in Virginia and North Carolina and those that were in South Carolina.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *February 22, 1865.*

Maj. Gen. J. M. SCHOFIELD, *Fort Fisher:*

General Lee reports to me to-day that you refused to receive our prisoners sent by him to Wilmington for exchange. I informed him in reply that you had not probably received my directions at that date. You will please receive all prisoners that the rebels may have to deliver to you and forward them to Annapolis. They were sent to Wilmington by special agreement, and should they fall into our hands by the fortunes of war, we should still be in honor bound to regard them as delivered to us by the enemy.

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 22, 1865.

Maj. Gen. H. W. HALLECK, *Chief of Staff, Washington, D. C.:*

GENERAL: In reference to the matter of supplying clothing to rebel prisoners by General Beall, as mentioned in the letter of Lieutenant-General Grant, referred to me on the 20th instant and received last evening, I have the honor to state that the rolls of those prisoners who desire to be exchanged at the several camps are already far advanced, and those who decline to be exchanged have already so expressed themselves, and it is not therefore probable that clothing will be distributed by General Beall's representatives to any but those who are to be immediately exchanged.

The number who decline to be exchanged will, I think, more than balance the excess of prisoners in our hands over those held by the enemy, and I presume Lieutenant-General Grant's letter is not to be understood as directing that blankets shall be taken from prisoners who wish to be exchanged and given to those who desire to take the oath of allegiance.

As far as practicable the instructions of Lieutenant-General Grant shall be carried out.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

CITY POINT, VA., *February 22, 1865.*

General R. E. LEE,
Commanding Armies of the Confederate States:

Your communication of this date, relating to the refusal of Major-General Schofield to receive Federal prisoners sent to Wilmington for exchange, is received, and in answer thereto I have to state that General Schofield was on the 20th instant informed and directed as follows: That the Confederate authorities would deliver a large number of our prisoners to us near Wilmington during the present and ensuing weeks, and that if our agent of exchange was not there to receive them and send them to Annapolis. At the date of his refusal to receive them, concerning which you write, it is not probable these instructions had reached him, but unless something unusual happened to the vessel that carried them, they have reached him by this time. These instructions will be repeated. I have therefore to request that the prisoners be kept in the vicinity of Wilmington, for nothing on our side shall prevent their being received in accordance with my agreement with Judge Ould.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS C. S. FORCES,
In the Field, February 22, 1865.

COMMANDING GENERAL U. S. FORCES, *Wilmington, N. C.:*

SIR: I beg leave to call your attention again to the condition of the Federal prisoners in my hands, and to urge upon you in the name of humanity to consent to their delivery. Unexpectedly accumulated here in large numbers, under the agreement of both Governments, they have been subjected to great suffering and considerable mortality by the delay. The assistant agent of exchange of the Confederate Government is near at hand with copies of the agreement and instructions, ready to proceed to the execution of the duty. A further postponement will be attended with still greater suffering, which the Confederate Government cannot prevent.

I am, sir, respectfully, your obedient servant,

R. F. HOKE,
Major-General.

WASHINGTON, D. C., *February 22, 1865.*

Brig. Gen. R. S. GRANGER,
Comdg. District of Northern Alabama, Decatur, Ala.:

GENERAL: In reply to your letter of the 10th instant requesting that the prisoners of war belonging to General Roddey's command, now in our hands, may be forwarded to Decatur for exchange, I have the honor to inform you that those prisoners are distributed at the several camps in the West, and it will be impossible to collect them together without an examination of all the rolls in this office of the prisoners held in those camps, which it is at this time impossible to make. Before such an examination could be made all or most of the prisoners searched for would probably have been delivered for exchange at City Point, Va.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

LOUISVILLE, KY., *February 22, 1865.*

Capt. W. T. HAKTZ,
Asst. Adjt. Gen. to Com. Gen. of Prisoners, Washington, D. C.:

CAPTAIN: The object of my telegram of the 18th instant was to inquire whether prisoners of war under charges and held for trial at this place, but not in irons or in close confinement, are comprehended in the spirit of General Orders, No. 6, current series, War Department, Adjutant-General's Office, not coming within the letter of the order. There are in this prison at the present time the following prisoners belonging to this class: A. D. Braswell, private, Company C, Eighth Kentucky (rebel) Cavalry, captured in Overton County, Tenn., April 19, 1864, charged with murder of two Federal soldiers after surrender; Milton Dotson, private, Company C., Perrin's Mississippi cavalry, captured at Powder Springs, Ga., November 4, 1864, who was returned from Camp Douglas to be held subject to the orders of Major-General Thomas, with a view of his being executed in retaliation for the murder of two Federal soldiers by Dotson's command; James M. Jones, private, Company E, Third Kentucky (rebel) Cavalry, captured in Morgan County, Ky., November 25, 1863, charged with being a guerrilla; Jesse Thorp, alias Tillett, private, Company A, First Kentucky (rebel) Battalion of Cavalry, captured at Kingsport, Tenn., December 13, 1864, charged with violation of his oath. Should they be forwarded to Colonel Mulford at Fortress Monroe?

I have the honor to be, very respectfully, your obedient servant,
STEPHEN E. JONES,
Captain and Additional Aide-de-Camp.

U. S. MIL. PRISON, GRATIOT STREET, HOSPITAL DEPT.,
Saint Louis, Mo., February 22, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

SIR: I have the honor to report that on the 21st instant Robert Reed, a prisoner of war and a patient in Ward A of this hospital, while standing before one of the windows facing the west, was shot by one of the guards, the ball passing through the right leg and producing a compound comminuted fracture of the tibia and fibula, necessitating amputation of the same below the knee. The ball in its course passed within a few inches of Corporal Ray, of the Veteran Reserve Corps, on duty in the ward at the time. Notwithstanding repeated remonstrances against this practice of indiscriminately shooting through the hospital windows, it is stubbornly persisted in, at the risk of every one in the hospital ward. But only this morning, after the painful disaster of yesterday, one of the guards at the same post drew up his gun to fire at Hospital Steward Leslie, at the time engaged in lowering the window for the purpose of ventilation. Upon an informal investigation it is denied by the officers of the prison that any orders have been issued sustaining the shooting through the windows, unless a demonstration to break through or escape is attempted; whereas the guards to the number of three or four, and especially the one who shot the prisoner yesterday, stoutly and persistently insists that he conformed strictly to the orders received from his superior officers, and that he was instructed to shoot any one approaching the window, and especially should one or more approach the window at the same time. It

will be remembered that with the windows closed it is an utter impossibility from without on the post occupied by the guard to discriminate between parties inside the window. An officer of the hospital or attendant while on duty in the ward is just as likely to become the victim as a prisoner. The fact that the orders as understood by the guard and that claimed as coming from the commanding officer of the prison conflict so much in their essential wording and construction demonstrates a laxity of discipline, an unpardonable and barbarous recklessness of life and limb, demanding a speedy and signal reformation. I have the honor to inclose report of Captain Allen's orders, &c.

I have the honor to remain, very respectfully, your obedient servant,

GEO. REX,
Surgeon, U. S. Volunteers, in Charge.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
OFFICE PROVOST-MARSHAL-GENERAL,
Saint Louis, Mo., February 23, 1865.

Respectfully referred to Lieut. Col. Gust. Heinrichs, superintendent and inspector of military prisons, Saint Louis, Mo.

These instructions to guards are approved. Colonel Heinrichs will report, upon examination, whether the guard, in his opinion, fired without orders and without sufficient reason.

J. H. BAKER,
Colonel and Provost-Marshal-General.

[Second indorsement.]

OFFICE SUPT. AND INSPECTOR MILITARY PRISONS,
Saint Louis, Mo., March 2, 1865.

Respectfully returned to Col. J. H. Baker, provost-marshal-general.

The guard seems, from all that I can learn, to have fired without good cause; but in exoneration it must be added that there seemed to be a misunderstanding in regard to the instructions received by the sentinel from the sergeant of the guard.

GUST. HEINRICHS,
Lieut. Col., Superintendent and Inspector of Military Prisons.

[Inclosure.]

OFFICE GRATIOT STREET MILITARY PRISON,
Saint Louis, Mo., February 22, 1865.

Maj. GEORGE REX,
Surgeon in Charge U. S. General Prison Hospital:

MAJOR: In reply to your communication of this date I have the honor to report that the following instructions are given to the sentinels in the alley in the rear of this prison:

No prisoners are allowed to stand at or sit in the windows at night.

If a prisoner works on the bars of the windows, and does not leave at the command, the sentinel will fire at him.

The sentinel will not allow any communications, such as letters, papers, signs, &c., to be passed to the prisoners.

If a prisoner tries to break out, over, or through the fences, or in any other way, the sentinel will shoot him.

The sentinel will give alarm immediately in case a fire should break out in or near the prison.

I am, major, very respectfully, your obedient servant,

R. C. ALLEN,
Captain, Fortieth Missouri Infantry, Commanding Prison.

[FEBRUARY 22 and 23, 1865.—For correspondence between Kilpatrick and Wheeler, relative to the murder of prisoners, see Series I, Vol. XLVII, Part I, pp. 860, 861.]

RICHMOND, *February 22, 1865.*

General B. BRAGG, *Burgaw:*

Do the U. S. authorities still refuse to receive the prisoners, not officers, at Wilmington? If so, should they not be taken off the cars at some interior point, that the trains may be used for other transportation?

JOHN C. BRECKINRIDGE,
Secretary of War.

[FEBRUARY 22, 1865.—For Campbell to Lee, relative to transportation of prisoners, see Series I, Vol. XLVII, Part II, p. 1246.]

[FEBRUARY 22, 1865.]

Lieutenant-Colonel HATCH, *Goldsborough:*

A personal interview with the Federal commander may accomplish something upon presentation of your credentials from both Governments.

BRAXTON BRAGG.

RICHMOND, *February 22, 1865.*

General BRAGG, *Burgaw, N. C.:*

Secretary of War informs me that General Grant is being urged to require a compliance with agreement on part of Federal authorities to exchange at Wilmington. He directs me to confer with you and not to bring them here unless it is impossible to receive them at Wilmington.

W. M. GARDNER,
Brigadier-General.

RICHMOND, *February 22, 1865.*

General B. T. JOHNSON:

General Grant has been informed of refusal of Federals at Wilmington to receive prisoners and has been urged to require it to be done according to agreement. General Bragg is also instructed by War Department to insist upon it. Don't send prisoners without further orders.

W. M. GARDNER,
Brigadier-General.

GOLDSBOROUGH, *February 22, 1865.*

General BRAGG:

Will it be possible to deliver the Federal prisoners through your lines, or shall I return at once to Richmond? Please answer.

W. H. HATCH,
Lieutenant-Colonel and Assistant Agent of Exchange.

RICHMOND, *February 22, 1865.*

General B. BRAGG:

It is very important that transportation on the North Carolina Railroad be devoted to supplies. If the prisoners cannot be received by the enemy at Wilmington I beg to be informed as early as possible, that no transportation may be expended unnecessarily.

A. R. LAWTON,
Quartermaster-General.

GOLDSBOROUGH, *February 22, 1865.*

General JOHNSON:

Send no more prisoners except upon General Bragg's order. There is no possibility of exchange now, and I can't take care of them. Stop all at Salisbury coming this way.

L. S. BAKER,
General.

GREENSBOROUGH, *February 22, 1865.*

Brigadier-General JOHNSON:

All confusion here about prisoners and the points to which they will be sent, but send no more until you hear further from me.

H. FORNO,
Colonel, Commanding Prison.

WASHINGTON, *February 23, 1865.*

Lieutenant-General GRANT:

Naval prisoners have been ordered from Forts Lafayette and Delaware for exchange. All prisoners who are or have been in irons or close confinement have been ordered forward for exchange. Shall I forward citizens for exchange?

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *February 23, 1865.*

Brig. Gen. WILLIAM HOFFMAN, *Washington:*

You may send forward all citizen prisoners whose homes are within the rebel lines and who are not awaiting trial on grave charges, or who are not undergoing sentence. After this is done send me a list of citizen prisoners still held and the charges upon which they are retained.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS ARMY OF THE JAMES,
February 23, 1865.

Lieutenant-General GRANT:

There are confined in the South a class of prisoners not included in the arrangement for exchange of merchant-service men made last week, being persons who have been taken on rivers and bays engaged in marine pursuits on private account—such as freighters, oyster men, and sutler vessels, including officers, crews, and in some cases passengers.

The reason why these are not included was on account of my being unauthorized to agree to give army equivalents for any excess the enemy might hold.

Mr. Ould now proposes that we release mutually all persons captured on the high seas and inland waters without regard to numbers or upon the same basis of equivalents agreed upon for Government transport-service men, seamen rating as privates, and the officers a grade or two above. This proposition involves the release of all blockade-runners, and would also include the captors of the Chesapeake, &c. Unless exceptions in cases of that class were made, I can see no objection, with my limited knowledge of this class of persons held by us, to an arrangement for the relief of those held by the enemy. Our authorities have from time to time discharged unconditionally numbers of persons captured on board blockade-running vessels. I think, however, there are quite a number of this class of prisoners held by us at Forts Delaware, Lafayette, and Warren. As these are now the only prisoners who have not been arranged for I respectfully call your attention to the subject and await instructions.

Very respectfully, &c.,

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

MEDICAL DIRECTOR'S OFFICE,
MIDDLE DEPARTMENT, EIGHTH ARMY CORPS,
Baltimore, Md., February 23, 1865.

Bvt. Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners:

GENERAL: I have the honor to acknowledge the receipt of your indorsement on a communication relating to the issue of separate rations to the rebel prisoners confined in West's Buildings U. S. General Hospital, in this city, and respectfully request your attention to the great difficulty which must of necessity arise in the execution of your instructions.

First. The locality of this hospital and its ample accommodations render its occupancy by Union as well as rebel sick and wounded almost an absolute necessity. All the sick and wounded that arrive here by water are landed at the wharf adjoining it, and all patients transferred North take their departure from the depot near it, and bad cases of sick and wounded are from necessity admitted here.

Second. The number of Union patients and attendants at the present time exceeds the number of rebel prisoners, and in view of the exchange now taking place the number of Union patients will be greatly in excess.

Third. The drawing, issuing, cooking, and serving of separate rations will require a material change in the internal arrangements of the hospital.

Fourth. The rebel prisoners treated in this hospital are mostly very sick or severely wounded, and require a diet materially differing from the prison ration to afford them a fair chance for recovery, and the saving on the ration of the limited number treated would at all times be insufficient to purchase such articles of diet as are provided for in paragraph 6, General Orders, No. 1, of 1865, and no prison fund could be accumulated.

It is therefore respectfully requested that the regulation applied to hospitals connected with large prison depots be not applied to this hospital, and that separate issues, returns, and fund accounts connected

with the ration be not required. It has been found practically impossible to reserve this hospital exclusively for prisoners of war, although every effort has been made to do so since it was assigned as a prison hospital.

Very respectfully, your obedient servant,

J. SIMPSON,
Surgeon, U. S. Army, Medical Director.

SAINT LOUIS, MO., *February 23, 1865.*

Capt. R. C. ALLEN,
Commanding Gratiot Street Prison, Saint Louis, Mo.:

SIR: It is my particular desire that the following-named prisoners, now confined in Gratiot Prison, be placed in separate apartments, so that they can neither see nor converse with each other: Edward Frazer, John G. Parks, Colonel Fletcher and son, Mr. Noland, Joseph Dillon, William Hillard, Hardy Miller, Henry Thorwegan. Should you be unable to comply with my request you will immediately notify this office, when I will have quarters prepared in Myrtle for those you cannot accommodate. I also desire a strict watch to be kept upon Frazer and Parks.

Very respectfully,

J. H. BAKER,
Provost-Marshal-General.

SPECIAL ORDERS, No. 12. HDQRS. DEPT. OF NORTH CAROLINA, ARMY OF THE OHIO, *Wilmington, N. C., February 23, 1865.*

I. In accordance with the arrangements made by the proper authorities, a large number of prisoners of war will be received from the enemy for exchange at the crossing of Northeast Cape Fear River, on the Goldsborough road. Bvt. Brig. Gen. J. C. Abbott is hereby appointed special agent to receive and receipt for all prisoners who may be delivered to him.

* * * * * * *

By command of Major-General Schofield.

J. A. CAMPBELL,
Major and Assistant Adjutant-General.

HEADQUARTERS HOKE'S DIVISION, *February 23, 1865.*

Maj. Gen. J. M. SCHOFIELD,
Commanding U. S. Forces, Wilmington:

GENERAL: I inclose herewith copy of a communication* from Lieut. Col. John E. Mulford, U. S. Army, assistant agent for the exchange of prisoners, dated 16th instant, in reference to the delivery of Federal prisoners of war at Wilmington.

I am here to carry into effect this agreement on the part of the Confederate authorities, and propose to deliver you without delay, at such practicable point as you may designate, about 10,000 Federal prisoners

* See p. 238.

of war. I suggest, as the most convenient and practicable point for this purpose, the railroad bridge over Northeast River. I am ready to meet any representative of the U. S. authorities you may appoint, to make the necessary arrangements for the prompt delivery of these prisoners.

I have the honor to be, very respectfully, your obedient servant,

W. H. HATCH,
C. S. Assistant Agent of Exchange.

HDQRS. DEPT. OF NORTH CAROLINA, ARMY OF THE OHIO,
Wilmington, N. C., February 23, 1865.

Maj. Gen. R. F. HOKE, *Commanding C. S. Forces:*

GENERAL: I have the honor to inform you, in reply to your communication of the 22d instant, that I will receive the prisoners of war whom you may have to deliver at the crossing of Northeast Cape Fear River, on the main road from Wilmington to Goldsborough. Bvt. Brig. Gen. J. C. Abbott, U. S. Army, is appointed special agent to receive and receipt for the prisoners and will meet your agent at the point designated.

For the reasons stated in your communication, I respectfully request that the prisoners may be delivered as soon as practicable.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

(Same, *mutatis mutandis*, to W. H. Hatch.)

HDQRS. DEPT. OF NORTH CAROLINA, ARMY OF THE OHIO,
Wilmington, N. C., February 23, 1865.

Maj. Gen. A. H. TERRY,
Comdg. Provisional Forces near Northeast Cape Fear River:

GENERAL: Stores are being sent out in charge of a commissary to issue to our prisoners (expected to arrive) near your encampment. The major-general commanding desires that you arrange to have troops of your command cook the rations for the prisoners, that they may have food as soon as possible after delivery into our hands. It is found impracticable to get rations cooked in any other way. It is trusted the troops on the spot will cheerfully do all in their power to alleviate the sufferings of these men.

Very respectfully, your obedient servant,

WM. M. WHERRY,
Major and Aide-de-Camp.

HEADQUARTERS, *February 23, 1865.*

Hon. J. C. BRECKINRIDGE:

Where do you wish prisoners conveyed? They should be exchanged as soon as possible. If conveyed by rail, interferes with supplies. They must march. Officers should be separated from men, and might be transported by railroad.

R. E. LEE.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 23, 1865.

General R. E. LEE, *Commanding, &c.:*

The prisoners will be brought to Richmond, since enemy refuses to receive them at other points agreed on. They will march, to give the use of our transportation.

J. C. BRECKINRIDGE,
Secretary of War.

HDQRS. ARMIES OF THE CONFEDERATE STATES,
February 23, 1865.

General J. C. BRECKINRIDGE, *Secretary of War:*

General Grant informs me he had on the 20th instructed General Schofield to receive prisoners at Wilmington; thinks he had not received instructions when he declined to receive them, but has by this time. General Grant will repeat the order, and begs that prisoners be not removed from vicinity of Wilmington, as nothing on his part shall prevent their being received in accordance with his agreement with Judge Ould. I have notified General Bragg.

R. E. LEE.

RICHMOND, *February 23, 1865.*

General BRAGG, *Teachey's:*

Prisoners to be removed to Richmond if difficulty as to Wilmington continues. Do not encumber railroad transportation. March them overland route and under guard. Keep officers separate from men.

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 23, 1865.

Lieutenant-General HOLMES, *Raleigh, N. C.:*

Prisoners at Raleigh to be moved to Richmond if difficulty as to Wilmington continues. Do not encumber railroad transportation. March them overland, convenient routes, under guard. Keep officers separate from men.

J. A. CAMPBELL,
Assistant Secretary of War.

(Same, *mutatis mutandis*, to General B. T. Johnson, Salisbury, N. C.; Colonel Forno, Charlotte, N. C.)

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., February 23, 1865.

Lieutenant-General HOLMES, *Raleigh, N. C.:*

General Grant affirms that prisoners will be received at Wilmington. Has renewed orders. Can communicate with General Bragg.

J. A. CAMPBELL,
Assistant Secretary of War.

(Same to Col. Bradley T. Johnson, Salisbury, N. C.; Colonel Forno, Charlotte, N. C.)

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
February 23, 1865.

General BRAXTON BRAGG, *Burgaw, N. C.:*

What arrangements can you make for the prisoners? If conveyance by rail will interrupt supplies they must march. If sent to Ridgeway, they could march via Clarksville to Danville. Officers should be separated from men.

R. E. LEE.

BURGAW, *February 23, 1865—11 a. m.*

General R. E. LEE, *Army of Northern Virginia:*

I am awaiting arrival of Colonel Hatch, who will soon be here to reopen negotiations about prisoners. Will inform you of result. My only action in regard to prisoners has been to keep them in my rear. Any other movements made have been without my knowledge.

BRAXTON BRAGG,
General.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
Via Richmond, February 23, 1865.

General BRAGG:

General Grant states that on 20th General Schofield was instructed to receive prisoners. Would deliver near Wilmington. He thinks instructions may not have reached Schofield when he declined to receive the prisoners. Will repeat the order, and begs that prisoners be not removed from vicinity of Wilmington. General Lee desires, therefore, that they be held at some point convenient for the exchange.

W. H. TAYLOR,
Assistant Adjutant-General.

GREENSBOROUGH, *February 23, 1865.*

General JOHNSON:

Has the train of Federal officers from Charlotte arrived? Please send them forward.

H. FORNO,
Colonel, &c.

GREENSBOROUGH, *February 23, 1865.*

General B. T. JOHNSON:

Following dispatch just received:

GOLDSBOROUGH, *February 22, 1865.*

Major CHISMAN, *Quartermaster:*

It is impossible for me to open communication with the enemy. Do not send any more prisoners to this place until further orders.

W. H. HATCH,
Commissioner of Exchange.

S. R. CHISMAN,
Major, &c.

LEXINGTON, *February 23, 1865.*

General JOHNSON:

Can you send transportation for 500 prisoners here, disabled?

J. V. SYMONS,
Lieutenant-Colonel Sixth Regiment.

[Indorsement.]

Captain BOOTH:

Inquire what is the meaning of his dispatch and answer that transportation cannot be furnished for 500. They must walk, if only six miles a day.

J. K. Mitchell, flag officer, Provisional Navy, C. S., is informed that the enemy have planted torpedoes in the James River below Cox's Landing.

[Indorsement.]

FEBRUARY 23, 1865.

Returned to Honorable Secretary of the Navy.

Cox's Landing is below Boulware's Wharf, where the recent deliveries have been made. We have never gone below Cox's Wharf with truce boats since Butler's first occupation of Bermuda Hundred. Since that time we have placed torpedoes in the river between Boulware's and Cox's Wharves. They lie this side of the alleged torpedoes mentioned in this letter. If prisoners are sent below Boulware's Wharf to Cox's they run the danger of our torpedoes, but in no event do they risk anything from those placed in the river by the Federals. If there were no torpedoes below Cox's Wharf we could not use the river, because there are obstructions in that neighborhood which prevent the passage of boats. In this state of facts is it expedient to say anything to the enemy about torpedoes which they have placed below ours? I am convinced that all the torpedoes which the enemy have placed between Cox's Wharf and their obstructions are galvanic.

[RO. OULD,
Agent of Exchange.]

HEADQUARTERS DEPARTMENT,
Richmond, February 23, 1865.

Lieut. Gen. R. S. EWELL, *Commanding Department of Richmond:*

GENERAL: I have the honor to report that in accordance with your instructions I to-day inspected the hospital for Federal prisoners. This is under the charge of Surg. G. W. Semple and is conducted upon the same principles as the general Confederate hospitals—the same proportion of assistant surgeons, the same rations, &c. All the attendants, cooks, &c., are Federal prisoners, and as any number can be had that are necessary, the hospital has in this particular an advantage over the Confederate hospitals. The police of the hospital is good; every[thing] about it being neat and in good order. During this month the average number of patients has been 500 per day, and the number of deaths a very small fraction over two per day, the deaths being mostly from diarrhea and pneumonia. There are no contagious or infectious diseases among the patients. The reason why twelve men were buried from the hospital in one day was owing to the fact that the undertaker did not furnish the coffins for several days and the dead

accumulated. This undertaker has been discharged and a new one appointed. A large number of sick men arrived at the hospital this morning from Salisbury, N. C. I was informed by the surgeon that met them at the depot that forty died on the way here. Thirteen dead bodies had already been brought to the hospital while I was there.

Your obedient servant,

J. W. PEGRAM,
Major and Assistant Inspector-General.

[FEBRUARY 24, 1865.—For correspondence between Lincoln and Grant, relating to the exchange of Roger A. Pryor, see Series I, Vol. XLVI, Part II, p. 668.]

CITY POINT, VA., *February 24, 1865.*

Lieutenant-Colonel MULFORD,
Agent of Exchange, Jones' Landing:

You may say to Colonel Ould that by dispatches from General Hoffman I learn that all prisoners who have been in close confinement or irons, whether under charges or sentence or not, have been ordered here for exchange. This includes spies, murderers, and persons guilty of whatever offense. I have also sent requesting orders to be made to allow prisoners of war to purchase freely both provisions of all kinds and clothing.

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 24, 1865.

Brigadier-General SCHOEPF, *Commanding Fort Delaware, Del.:*

It is reported that prisoners of war have been forwarded for exchange from some stations against their wish. Please let all understand that none will be sent for exchange who do not wish to go.

W. HOFFMAN,
Commissary-General of Prisoners.

(Same to commanding officers of all military prisons.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 24, 1865.

Col. F. D. SEWALL, *Commanding Camp Parole, Annapolis, Md.:*

COLONEL: Miss Clara Barton, who will hand this to you, desires to be the means of informing the friends of prisoners who have been in the hands of the enemy of their fate, as far as it can be learned by inquiries of those who are now arriving at Annapolis on the parole from the South. Please permit her to post notices in the barracks asking for information concerning such prisoners as she may have occasion to inquire for, and if it is practicable to give her any information from your records without interfering with the necessary course of business,

I request that you will communicate such as she may desire in general terms, not giving particulars on which to base a claim for pay or allowances. Report after trial of a few days how far these instructions can be carried out without inconvenience and wait for final approval.

Very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 24, 1865.

Col. J. H. BAKER, *Provost-Marshal-General, Saint Louis, Mo.:*

COLONEL: Your letter of the 17th instant relative to the proper distribution of prisoners under your charge has been received, and I am directed by the Commissary-General of Prisoners to inform you that your understanding of the letter of instructions from this office dated June 29, 1864, is correct. Prisoners confined for civil offenses not connected with the rebellion, as well as those held under the special order of the general commanding the department, are not political or state prisoners, and should not be reported to this office; nor is it expected that any arrested simply on suspicion and against whom there are not apparently well-founded charges of disloyal acts, will be so reported. Many are arrested under circumstances which render their detention proper, but a little investigation proves their innocence and entitles them to their release. The investigation in such cases should take place before reporting them to this office. All prisoners not included in the above classes should be reported to this office, and all parties reported under these instructions should be forwarded at once to Saint Louis and thence to some Northern prison, and not held at Saint Joseph or other points in Missouri.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

ADJUTANT-GENERAL'S OFFICE,
Washington, February 24, 1865.

His Excellency Governor BROUGH, *Columbus, Ohio:*

Lieutenant-Colonel Breckinridge has been ordered by telegraph to General Palmer to be sent to the State prison at Columbus. The Secretary of War requests that you will give directions to have him safely confined there until further orders, and also that you will inform me whether the arrangements at that prison are sufficient for the safe-keeping of prisoners.*

E. D. TOWNSEND,
Assistant Adjutant-General.

COLUMBUS, *February 24, 1865.*

Col. E. D. TOWNSEND, *Assistant Adjutant-General:*

Dispatch received. Breckinridge will be taken and held until further orders. His safety would be insured and greater facilities afforded for

* For correspondence not found in this series relating to arrest, &c., of Breckinridge, see Series I, Vol. XLIX, Part I, pp. 764, 770.

his exercise and comfort if we could put on him the peculiar striped clothing assigned to ordinary prisoners. Would this be permissible? The prison is safe for confinement of prisoners. The cost of a single prisoner is much greater proportionally than the number of ten to twenty, who could be guarded by the same force as one individual.

JNO. BROUGH.

SPECIAL ORDERS, } HDQRS. MIDDLE DEPT., 8TH ARMY CORPS,
No. 48. } *Baltimore, Md., February 24, 1865.*

* * * * * * *

2. Prisoners of war en route through this department will not be permitted to communicate with any person except by special permission of the proper officers of the Government. All persons are forbidden to approach the prisoners or to attempt to pass the guards. The officers and soldiers of the guard have no authority to grant indulgences to citizens or prisoners, and will be punished for disobedience of orders if they take such liberty. No one can be ignorant of the fact that all prisoners of war held by the United States Government are liberally provided for; therefore offerings in the shape of food or luxuries are superfluous and unnecessary, and will be construed as a manifestation of sympathy with those in rebellion against the Government and a desire to embarrass and harass the military authorities. Arrests of persons violating the orders of this department will continue until demonstrations of sympathy with rebellion cease. This order is not issued as a threat, but to warn those disloyal people who have made it necessary to resort to extreme measures that the orders of the Government will be enforced, and all persons violating said orders will be arrested and imprisoned without regard to sex or condition.

* * * * * * *

By command of Bvt. Brig. Gen. W. W. Morris, U. S. Army:

SAMUEL B. LAWRENCE,
Assistant Adjutant-General.

[FEBRUARY 24 and 27, 1865.—For correspondence between Sherman and Hampton, relative to treatment of foraging parties, see Series I Vol. XLVII, Part II, pp. 546, 567, 596.]

HEADQUARTERS, *February 24, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War, Richmond, Va.:*

SIR: My dispatches of yesterday will have informed you of the substance of a letter received from General Grant relative to his reception of prisoners at Wilmington. I hope therefore the arrangement made will be completed. I do not know from what point the prisoners sent to that place were taken, or by what routes they are conveyed. I fear if I commence giving direction as desired by your letter of 22d, without understanding existing arrangements, I might produce confusion. If I could get a point to commence from and knew where the prisoners were required, it would prevent embarrassment. The conveyance of prisoners should not interrupt necessary supplies for the army, and if the whole was put in the hands of one man it could easily be arranged.

The exchange should be pressed forward on every account, and when impracticable to convey the men by railroad they should be marched.

Very respectfully, your obedient servant,

R. E. LEE,
General.

[Indorsement.]

Answered by telegram:

General Grant agrees that prisoners may be received at Wilmington, and, even if captured, shall be counted in exchange. Have informed all officers in charge of prisoners and further instructions unnecessary.

Telegraphed to General Bragg, at Goldsborough, and General Holmes, at Raleigh, directing the latter to communicate to all officers in charge of prisoners all along the line.

J. A. CAMPBELL,
Assistant Secretary of War.

ROCKFISH CREEK, *February 21, 1865.*

General R. E. LEE, *Petersburg:*

The Federal commander has consented to receive the prisoners, and they will be sent to Northeast River, the point agreed on, as rapidly as possible. Lieutenant-Colonel Hatch, our agent, has arrived.

BRAXTON BRAGG,
General.

(Copy to Honorable Secretary of War, General Gardner. General Lawton, Richmond.)

FEBRUARY 24, 1865.

Lieutenant-General HOLMES, *Raleigh:*

Enemy have consented to receive prisoners at Northeast River. Please facilitate their transportation this way much as possible.

BRAXTON BRAGG.

RICHMOND, *February 24, 1865.*

General BRAGG:

General Grant has renewed orders to receive prisoners at Wilmington.

W. M. GARDNER,
Brigadier-General.

RICHMOND, *February 24, 1865.* (Via Greensborough.)

General BRADLEY T. JOHNSON:

General Grant has renewed orders to receive prisoners at Wilmington. All prisoners will be sent there except sick and attendants, who will be sent to Richmond. Communicate with detachments sent off.

W. M. GARDNER,
Brigadier-General.

FEBRUARY 24, 1865.

General BAKER, *Goldsborough:*

The enemy having consented to receive the prisoners the commanding general desires you facilitate their transportation here as much as possible.

ARCHER ANDERSON,
Assistant Adjutant-General.

GOLDSBOROUGH, *February 24, 1865.*

Hon. J. A. CAMPBELL, *Assistant Secretary of War:*

Enemy have agreed to receive the prisoners at Northeast River. Colonel Hatch will be here to-night, and the exchange will go on rapidly. General Bragg's headquarters are at Burgaw, about fifteen miles this side of Wilmington.

L. S. BAKER,
Brigadier-General.

GOLDSBOROUGH, *February 24, 1865.*

General BRAGG, *Teachey's, N. C.:*

Mr. Campbell, Assistant Secretary of War, telegraphs to you that General Grant reaffirms his willingness to receive the prisoners at Wilmington. Colonel Hatch's dispatch received.

L. S. BAKER,
Brigadier-General.

BURGAW, *February 24, 1865.*

Brigadier-General JOHNSON:

I have made agreement for delivering of all Federal prisoners except the sick at Northeast Bridge. Please have all your command paroled at once and held subject to my orders.

W. H. HATCH.

GREENSBOROUGH, *February 24, 1865.*

General BRAGG:

Secretary of War orders prisoners sent to Wilmington. Operator at Goldsborough please forward to General Bragg.

H. FORNO,
Colonel.

RICHMOND, *February 24, 1865.*

General BRAGG:

General Grant agrees that prisoners sent to Wilmington shall be counted, although captured on the way.

J. A. CAMPBELL,
Assistant Secretary of War.

ADJUTANT-GENERAL'S OFFICE,
Washington, February 25, 1865.

His Excellency Governor BROUGH, *Columbus, Ohio:*

Your telegram of yesterday received. The Secretary of War says it is inadmissible to put the striped clothing on Breckinridge. As to the cost, he will try to send you ten or twenty more.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, *Washington, D. C., February 25, 1865.*

Major-General PALMER, *Louisville, Ky.:*

Send Colonel Breckinridge under secure guard to the State prison at Columbus, Ohio, which has been made a military prison, to be confined there until further orders, and make a full report in writing of all the facts in relation to him to Adjutant-General Townsend.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, *February 25, 1865.*

Lieutenant-General GRANT:

I have ordered Sergeant Boyd, prisoner at Fort McHenry, whose delivery is ordered at the request of Mr. Ould, to be forwarded, though he is under sentence to be confined during the war.

W. HOFFMAN,
Commissary-General of Prisoners.

WASHINGTON, *February 25, 1865.*

Lieutenant-General GRANT:

Under General Orders, No. 6, January 18, and your telegram of the 17th instant, all rebel prisoners in close confinement or in irons have been ordered to be forwarded for exchange. This embraces soldiers and citizens, spies, murderers, guerrillas, &c. A history of each case is sent with them, so that exceptions can be made if deemed advisable. From your telegram of the 23d I judge that you did not intend your order to have such a general bearing. If so, they may be stopped at City Point.

W. HOFFMAN,
Commissary-General of Prisoners.

VARINA, *February 25, 1865.*

Lieutenant-General GRANT:

Your dispatch in regard to prisoners in close confinement and privilege of purchase for prisoners received. I will communicate the information to Mr. Ould.

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 25, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

COLONEL: The inspection report of Colonel Heinrichs on the condition of the Gratiot Street Prison for the week ending February 23 is received. Clothing of prisoners of war is now being furnished by the rebel authorities, and for what is required at the Gratiot Street Prison you will make requisition through General H. E. Paine or General Beall, rebel agent, in New York. At this time there are but few prisoners at Alton, and you will immediately forward to the military prison at that place all the prisoners of war except those in hospital who cannot be moved at the Gratiot Street Prison, and you will send there all

who may be received from time to time until there are as many at Alton as can be provided for there. Under no circumstances will prisoners be employed in confidential positions as clerks, &c., or be placed in authority anywhere. They may be employed as cooks, nurses, and policemen, but always under the supervision of some one appointed for the purpose. The employment of a prisoner as clerk or steward in the hospital must not be permitted.

Very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE PROVOST-MARSHAL-GENERAL OF EAST TENN.,
Knoxville, Tenn., February 25, 1865.

Bvt. Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to call your attention to the case of Capt. Shadrick Harris, Third East Tennessee Cavalry (Union), now held by the rebel authorities under the following circumstances: He was enrolled as a conscript by them, but never ordered to report. After entering our service he was captured in the Sanders raid more than two years ago. He was tried by the rebel authorities for desertion and sentenced to be shot. The sentence, however, was not carried into execution, but he has been confined in irons ever since until recently at Columbia. Capt. Frank Battle is now held by us at Fort Delaware as a hostage for him. I am informed by the father of Captain Harris that President Lincoln has authorized Captain Elliott, who was sentenced to be hung at Nashville this month, to be exchanged for Captain Harris. General Echols, commanding Department of West Virginia and East Tennessee, has proposed the exchange of Capt. J. P. Sheffey, Eighth Virginia Cavalry, for any officer of our army in their hands of equal rank. I earnestly recommend that the exchange of Captain Harris for Captain Sheffey be effected if possible, or, if that cannot be done, that some arrangement may be made by which Captain Harris may be treated as a prisoner of war. I commend his case to you as one of peculiar interest and hardship. I am well acquainted with his family. They are among the best Union citizens of this country.

I am, general, very respectfully, your obedient servant,

L. S. TROWBRIDGE,

Lieut. Col. Tenth Mich. Cav. and Pro. Mar. Gen. of East Tenn.

RICHMOND, *February 25, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Sergt. E. E. Patterson, of Morgan's command, is now in Fort Warren. He was in close confinement there for six months and was recently released in part compliance with our agreement. He is, however, still retained when he should have been delivered to us.

2. Lieut. Daniel Davis, Seventeenth Virginia Mounted Infantry, has been at hard labor and is now confined at Fort Warren and is made to clean up the quarters of the officers. This is a case which I have frequently brought to your notice. Lieutenant Davis' hostage has been delivered to you, and I really cannot see any good reason why he has not been surrendered.

3. Private A. A. Williams, First Maryland Cavalry, is also at Fort Warren, not treated as a prisoner of war. He has been sentenced to imprisonment for the war.

These facts have been stated in writing to me by Capt. Frank Battle, who very recently left Fort Warren. I am entirely satisfied that an inquiry will assure you that these representations are correct. I request that these parties be delivered without further delay. The case of Lieutenant Davis is a peculiarly aggravated one.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 25, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: There is an old citizen of Westmoreland County, Va., James W. English by name, who is now in hospital at Point Lookout. He is fifty-five years old. He is a very inoffensive man. There are no charges against him, and neither he nor his friends know why he has been kept so long in captivity. He has been a prisoner for nearly two years and is now in a critical state of health. I will be much obliged to you if you will cause him to be released and delivered by next flag-of-truce boat. I have ordered all persons in anything like a similar position in the South to be sent to Richmond for delivery to you.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *February 25, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Capt. R. G. Clarke, Fifty-ninth Tennessee, was a short time since confined in a cage in Knoxville jail. I will thank you to inform me why he is not treated as a prisoner of war. Will you not release him under the recent agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

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37 BLEECKER STREET, *New York, February 25, 1865.*

General W. N. R. BEALL, *75 Murray Street, New York:*

GENERAL: In order to make my report to the War Department on next Tuesday, I have the honor to request that you will as soon as the morning of that day, if practicable, furnish me a statement showing the date of the arrival of the cotton, the time, place, and expenses of sale, the price in gross and net, and the names of the purchasers. Also what supplies have been purchased, the places and dates of the several purchases, the price, and the names of the vendors. Also what supplies have been forwarded, with dates of the several shipments and the destination and mode of transportation of the supplies. Also what contributions have been received, whence and when, and the dates and destination of the shipments of these articles.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., February 25, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States, City Point, Va.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 5th instant addressed to Major-General Foster, giving authority to exchange all prisoners of war held by me in this department. In consequence of the evacuation of Charleston and the adjacent country, the exchange at this point will undoubtedly be accompanied by many difficulties. I have sent two letters to the officer commanding the Confederate forces near this department, through the commanding officers at Savannah and Charleston, respectively, but as yet have received no reply. I will inform you of the result as soon as I hear from the Confederate authorities.

Very respectfully, your obedient servant,
Q. A. GILLMORE,
Major-General, Commanding.

[FEBRUARY 25, 1865.—For Breckinridge to Lee, relative to prisoners and deserters, see Series I, Vol. XLVI, Part II, p. 1257.]

RICHMOND, *February 25, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

SIR: The Wilmington (Delaware) Journal of the 21st announces that Lieut. S. B. Davis passed through that place on the 20th on his way to Fort Delaware, from which it is presumed that his sentence of death was not changed to imprisonment at hard labor, as at first stated by General Grant.

I have the honor to be, sir, most respectfully, your obedient servant,
J. W. PALMER.

GOLDSBOROUGH, *February 25, 1865.*

General BRAXTON BRAGG:

Have made arrangements for delivery of the Federal prisoners at the rate of 2,000 per day. Will start the first train to-morrow morning.
W. H. HATCH,
Assistant Agent of Exchange.

CITY POINT, VA., *February 26, 1865.*

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

Send no more rebel prisoners for exchange, except those who have been in close confinement, until further orders. I do not want to get ahead in the delivery.

U. S. GRANT,
Lieutenant-General.

VARINA, *February 26, 1865.*

Lieutenant-General GRANT:

Exchange is progressing slowly; no deliveries made to-day. The reason why no delivery of our men was made yesterday was because

they could not get down with their boat on account of high water. I had taken their men to a point where I expected to meet the boat. Being disappointed in this, I delivered them through the enemy's picket-line.

I think the forwarding of prisoners may be suspended a few days without prejudice to the exchange. What shall I say to Mr. Ould about the reception of our men at Wilmington? Will they be received there now by General Schofield?

I have now on hand here about 2,200 Confederate prisoners, 700 of them sick and wounded.

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Agent of Exchange.

CITY POINT, VA., *February 26, 1865.*

Lieutenant-Colonel MULFORD, *Agent of Exchange:*
(Care of General Ord.)

Say to Colonel Ould the prisoners sent to Wilmington will be received, if they have not been already. General Schofield received my orders on the subject after General Hoke proposed to deliver. General Schofield was advancing on the city at the time and could not stop. The notice he received did not say that it was by agreement that prisoners were sent there for delivery, but a proposition to exchange was made to him, or rather he received word that Hoke had 2,500 prisoners which he proposed to exchange. General Schofield sent back in reply that he was not authorized to make exchanges, but he would receive any prisoners that might be delivered. This reply probably never reached General Hoke, as the town was evacuated before it could have got there. About 200 of the prisoners escaped and came within our lines. Whatever the number may be will be credited and the men paroled and furloughed until properly exchanged.

U. S. GRANT,
Lieutenant-General.

U. S. MILITARY PRISON,
Camp Morton, Indianapolis, Ind., February 26, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton, Ind.:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending February 25, 1865:

Conduct—good. Cleanliness—good. State of clothing—good. Bedding—good. State of quarters—kept as well policed as they can be. State of mess-houses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being according to orders. Water—sufficient. Sinks—sufficient for the cold weather. Police of grounds—thorough. Drainage—complete. Police of hospital—good. Attendance of sick—good. Hospital diet—first class. General health of prisoners—improving. Vigilance of guard—strict.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieutenant, Veteran Reserve Corps, Inspecting Officer.

RALEIGH, *February 26, 1865.*

General BRAGG:

I leave here with 600 prisoners. Now, it is impossible to get transportation sufficient unless travel and freight are suspended. Prisoners are demanding that their paroles be given up.

E. GRISWOLD,
Major, Commanding Prisoners.

FEBRUARY 26, 1865.

Lieutenant-General HOLMES,
Maj. E. GRISWOLD,
In Charge of Prisoners, Raleigh:

Colonel Hatch controls movements of prisoners and will give necessary instructions.

BRAXTON BRAGG.

FEBRUARY 26, 1865.

ASSISTANT SECRETARY OF WAR:

Please have an officer sent to ascertain and report condition of returned prisoners in regard to subsistence, pay, transportation, &c., the progress made in executing orders touching their furloughs, and what is done for their shelter, &c. There is so much complaint from Congressmen, Legislatures, and other sources (no doubt exaggerated) that it may become necessary to answer them. I would like to have the report this evening if possible.

J. C. BRECKINRIDGE,
Secretary of War.

P. S.—An officer has been sent, through directions given to secretary of the bureau, to look after complaints about sick and wounded between here and Varina.

J. C. B.

FEBRUARY 26, 1865.

Lieutenant-General EWELL, *Commanding:*

Have special attention directed to the condition of our prisoners lately returned from the United States. Have an inspection and report.

J. A. CAMPBELL,
Assistant Secretary of War.

FEBRUARY 26, 1865.

Brigadier-General GARDNER, *Commanding:*

The Department is informed that prisoners that have lately arrived are sick and in the most wretched condition. Have a special examination and report of their condition, and ascertain, as far as practicable, how they happen to be in such a condition.

If need be, call upon the Adjutant-General for an intelligent inspecting officer. Have relief granted to them and as much consideration shown as is practicable.

By order:

J. A. CAMPBELL,
Assistant Secretary of War.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Va., February 26, 1865.

Lieut. Gen. R. S. EWELL,
Commanding Department of Richmond, Richmond, Va.:

GENERAL: It has been represented to the Secretary of War that the prisoners received on yesterday from the U. S. authorities are greatly scattered between the city and Varina, and undergoing much suffering from sickness and other causes, if not neglect. He therefore directs that you will immediately detail a competent energetic officer to inquire into the matter and ascertain the causes of this state of things. He will also ascertain their wants, have them relieved, and superintend their transportation to Richmond. When this is done he will make a full report of his inspection through you to this office without delay.

I have the honor to be, general, very respectfully, your obedient servant,

JOHN W. RIELY,
Assistant Adjutant-General.

HEADQUARTERS C. S. MILITARY PRISON,
Camp Sumter, Ga., February 26, 1865.

Lieut. G. W. MCPHAIL,
Aide-de-Camp and [Acting] Assistant Adjutant-General:

SIR: I have the honor to call your attention to the following facts: There are a large number of paroled prisoners of war who are doing work for the Government which if not done by them would have to be done by impressment or other hire and thus be a heavy expense to the Government. These men are, almost without exception, barefooted, having been so long at work that what shoes they had are entirely worn out. I wish to know if I cannot be authorized to make a requisition on the Quartermaster's Department to supply their wants in this line, or else buy the leather through the quartermaster and have the shoes made, as there are plenty of shoemakers among the prisoners.

Recommending the statement to your favorable consideration.

I am, sir, very respectfully, your obedient servant,

H. WIRZ,
Captain, Commanding Prison.

HEADQUARTERS C. S. MILITARY PRISON,
Camp Sumter, Ga., February 26, 1865.

Lieut. G. W. MCPHAIL,
Aide-de-Camp and [Acting] Assistant Adjutant-General:

LIEUTENANT: I have the honor to call your attention to the numerous applications which are made to me for Federal money by persons having relations in Northern prisons, whom it is their desire to relieve. Last year General Winder gave me instructions to the effect that the Commissary and Quartermaster Generals had granted sutlers of Federal prisons the privilege of buying "greenbacks" from prisoners at the rate of $4.50 "Confed." for $1 "greenback." All "greenbacks" so obtained to be turned over to the Government. Since then the depreciation of currency has raised the price of Federal money so that it can be bought no more by the sutler at the prescribed price, and led to an illegal outside trade by persons connected with the prison. All

efforts to break it up have proved futile. I now wish to know if the prison sutler cannot be permitted to buy at an advanced price from the one designated now as Government price.

I am, sir, very respectfully,

H. WIRZ,
Captain, Commanding Prison.

WASHINGTON, *February 27, 1865.*

Lieutenant-General GRANT:

Your telegram of yesterday is received and will be observed. Major-General Sheridan has sent guerrillas to Fort McHenry, not to be exchanged during the war. Shall they be held after the exchange of other prisoners?

W. HOFFMAN,
Commissary-General of Prisoners.

VARINA, *February 27, 1865.*

Lieutenant-General GRANT:

Your dispatch received. Will communicate to Mr. Ould at once.

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

VARINA, VA., *February 27, 1865.*

Lieutenant-General GRANT, *City Point, Va.:*

Pryor arrived this evening. Shall I hold him, and inform Mr. Ould how and why? He has a pass from the President, as follows:

Allow Roger A. Pryor to proceed to General Grant's headquarters, City Point, for exchange.*

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

[FEBRUARY 27, 1865.—For correspondence between Grant and Ord, relating to the release of political prisoners, see Series I, Vol. XLVI, Part II, p. 722.]

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75 MURRAY STREET, *New York, February 27, 1865.*

Statement of 828 bales of cotton received January 28, 1865, per steamer Atlanta. Sold, February 8, 1865, by Burdett, Jones & Co., auctioneers, to the following-named parties: 407 bales to C. C. & H. M. Faber, 100 bales to J. M. Kimball & Son, 75 bales to Forrest & Schafer, 180 bales to George Lester, 66 bales to Walgenuth & Rolgle, 5 bales to Walgenuth & Rolgle (rebaled from loose), 45 bags to Whittson, 40 bags to R. Dillon.

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*For correspondence not contained in this volume relating to the exchange of Roger A. Pryor see Series I, Vol. XLVI, Part II, pp. 668, 722.

The sale was made at the auction rooms corner of Wall and Front streets.

Gross amount of sales	$348,622.34
Gross amount of expenses	16,832.68
Net proceeds	331,789.66

At the disposal of Brig. Gen. W. N. R. Beall, Provisional Army, C. S., to purchase clothing to be distributed to prisoners of war held by the United States.

I would state that of the $16,832.68 expenses, $8,589.68 are held under order of the agent of internal revenue to be paid over to the United States Government, the tax being 2 cents per pound on the cotton. As the cotton was received by the United States in a Southern port, transported by a U. S. vessel, and under charge of a U. S. officer, to me at this place in accordance with the late arrangement between General Grant and Colonel Ould, and no import duty having been charged upon supplies sent South, I respectfully ask that the said cotton be not taxed the usual internal revenue tax of 2 cents per pound, and that an order be issued to the agent of internal revenue to this effect. I would further state that the transport Atlanta, which received the 1,000 bales of cotton in Mobile Bay, proved insufficient in capacity to transport it, and the U. S. officer, Capt. Frank G. Noyes, on January 16 reshipped on another vessel 170 bales of the cotton, and that nothing has been heard from this cotton to the present time.

I am, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

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75 MURRAY STREET, *New York, February 27, 1865.*

Brig. Gen. HALBERT E. PAINE:

GENERAL: In compliance with your request of 25th instant I have the honor to make the following report of purchases:

Date.	Vendors.	Residence.	Articles.	Price.
1865.				
Feb. 4	Shipley, Roane & Co	Baltimore, Md	58 pair pants	$3.75
4	do	do	123 pair pants	3.25
4	do	do	51 pair pants	3.50
4	do	do	169 pair pants	4.00
4	do	do	14 pair pants	4.50
4	do	do	71 sackcoats	6.00
4	do	do	45 sackcoats	5.50
4	do	do	66 pair pants	3.80
4	Noah Walker & Co	do	115 pair pants	3.50
4	do	do	92 pair pants	3.50
4	do	do	86 jackets	5.00
4	William A. Dean	do	282 blankets	3.50
4	H. Easter & Co	do	47 blankets	3.75
4	John W. Jenkins	do	600 pair shoes	2.25
4	Hodges Bros	do	300 pair socks	.22½
4	H. Blimline	do	960 pair drawers	1.33¾
11	John S. Berry & Co	do	72 shirts	1.08½
Jan. 27	John T. Martin's Sons & Co	New York City	122 pair pants	3.50
27	do	do	87 pair pants	3.25
27	do	do	10,000 pair pants	3.87½
27	do	do	10,000 jackets	5.37½
27	A. G. Jennings, agent	do	6,000 jackets	5.10
27	do	do	6,000 pair pants	3.40
27	do	do	3,000 pair pants	3.60
27	At auction, through M. M. Greenwood	do	3,000 blankets, average 4½ to 5 pounds.	*a*.76¾
27	Henry A. Swift	do	800 blankets	3.80

a Per pound.

Date.	Vendors.	Residence.	Articles.	Price.
1865.				
Jan. 27	Henry A. Swift	New York City	3,200 blankets	$3.37½
28	John J. Townsend	do	468 blankets	5.00
28	do	do	196 blankets	4.50
28	Bailey & Southard	do	2,000 pair socks	.31¼
28	do	do	1,840 pair socks	.30
28	A. C. Samson	do	6,000 pair socks	.31¼
28	J. C. Converse & Co	Boston	5,000 pair drawers	1.29
28	do	do	10,000 pair shoes	2.09½
31	Henry A. Swift	New York	1,066 blankets	3.37½
31	do	do	do	3.80
Feb. 2	J. Newberger	do	550 blankets	5.25
4	George Johnson	Boston	7,000 pair shoes	2.02½
4	John T. Martin's Sons & Co	New York	11,000 shirts	2.16⅔
7	M. Kitzinger	do	4,000 shirts	2.16⅔
8	J. M. Deuel	do	600 blankets	4.50
8	W. B. Chapin	do	6,400 blankets	4.50
14	W. C. Browning	do	132 coats	4.50
15	George A. Sumner	do	488 pair socks	.25
16	J. C. Clark	do	1,060 pair socks	.25
16	S. Weinschenk	do	373 pair drawers	1.22½
16	B. W. Pierce	do	2,000 pair pants	a 9.00
16	do	do	2,000 jackets	
17	Joseph Lee	do	500 pair drawers	1.00
17	do	do	2,500 pair drawers	1.25
18	Minzesheimer & Co	do	4,000 pair drawers	1.17½
18	A. Raymond	do	29 suits, pants and jacket.	7.00
20	James Talcott	do	4,271 pair socks	.25
21	J. B. Walcott	Boston	4,200 pair shoes	1.97½
24	Joseph Lee	New York	5,000 shirts	1.87½

a Per suit.

I am, respectfully, your obedient servant,

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

HDQRS. DEPT. OF NORTH CAROLINA, ARMY OF THE OHIO,
Wilmington, N. C., February 27, 1865.

Lieutenant-General HARDEE, *Commanding C. S. Forces:*

GENERAL: I have the honor to accept your proposition to parole and send to Wilmington the prisoners of war in your possession, and will receipt for them, to be credited upon the exchange list. Capt. William J. Twining, aide-de-camp, is authorized to make all arrangements with the officer designated by you, Major Lay, and will receive the prisoners at the railroad crossing of Brunswick River.

Very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

HEADQUARTERS FIRST ARMY CORPS, *February 27, 1865.*

Maj. Gen. E. O. C. ORD, *Commanding Army of the James:*

I have the honor to request an interview with you at noon to-morrow, the 28th, at the same place we met on the 25th instant, for the purpose of arranging more definitely the exchange of political prisoners. If possible, I would be pleased to meet Lieutenant-General Grant at the same time and place on the same subject. I will be accompanied by the same staff and attendants as on the 25th.

I have the honor to be, very respectfully, your obedient servant,

J. LONGSTREET,
Lieutenant-General.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, February 27, 1865.

Maj. Gen. G. GRANGER,
Commanding U. S. Forces, Fort Gaines, Ala.:

GENERAL: I have the honor to acknowledge the receipt of your letter relative to sending a supply of clothing, under flag of truce, for the U. S. prisoners of war at Cahaba, Ala., and Meridian, Miss. Upon referring the matter to the commander of this department I have been informed that an agreement has been made for the immediate exchange of all prisoners of war of the United States in this department, and its early consummation, it is believed, will take place. If any unforeseen delay should occur, or if under the circumstances you still desire to send the clothing, please be assured that I will take pleasure in receiving and forwarding it in accordance with your expressed wishes.

Very respectfully, your obedient servant,
DABNEY H. MAURY,
Major-General, Commanding.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., February 27, 1865.

COMMISSARY-GENERAL OF PRISONERS, *Washington, D. C.:*

SIR: The officers and men of our Navy lately held prisoners in Texas have been delivered to me to be exchanged for Admiral Buchanan and other prisoners of the rebel Navy captured in Mobile Bay. I shall at once deliver those of the latter who remain here, and have to request that Admiral Buchanan may be delivered to his friends, at such point as may be most convenient, with as little delay as possible. Our faith is pledged for his speedy delivery.

Very respectfully, sir, your obedient servant,
ED. R. S. CANBY,
Major-General, Commanding.

NEW ORLEANS, *February 27, 1865.*

Commodore JAMES S. PALMER,
Commanding West Gulf Blockading Squadron:

SIR: I have the honor to report that there still remains at Camp Ford, Tex., twenty-seven naval prisoners who were detained there for punishment by the Confederate commissioner of exchange. I believe that by the provisions of the cartel arranged for their exchange the Confederate agent agreed to deliver all the naval prisoners, which they have not done.

In a conversation with Colonel Szymanski I called his attention to a letter written by General Lee to General Grant in answer to one addressed him by General Butler, which said that free negroes in our service were, when captured, to be treated as prisoners of war. Colonel Szymanski denied ever having seen any such letter, and assured me that if he was furnished with an official copy of it he would at once treat all free negroes now prisoners in the Trans-Mississippi Department as prisoners of war. I therefore respectfully request that the necessary steps may be taken to furnish him the official copy he requests in order that the free negroes captured on the Clifton, Sachem, Morning Light, and ram Queen of the West, and now held to labor may be treated as prisoners of war. I furnish herewith a partial list of free negroes captured on the above vessels, and have reason to believe that there are still more, besides many contrabands whose names I have been unable to learn.

The three men captured on the Queen of the West are now at work on the steam-boat Doubloon, at Shreveport, La.

Very respectfully, your obedient servant,

FREDERICK CROCKER,
Acting Volunteer Lieutenant, U. S. Navy.

CITY POINT, VA., *February 28, 1865.*

Brig. Gen. W. HOFFMAN, *Washington:*

We will have a large number of prisoners left after exchanging for all we have in the South. Hold all guerrillas and such other prisoners as it will be objectionable to turn loose to the last. When all our prisoners are released a settlement will be made showing how many men we owe, and that number will be delivered only. I am now informed that deliveries are going on at Wilmington at the rate of 2,000 a day.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *February 28, 1865.*

Lieutenant-Colonel MULFORD:
(Care General Ord.)

You may send Pryor through with the first prisoners sent off. Speak to him, however, about John Dent, and say to him that he has been promised his freedom so often that I had thought of detaining him until Dent was released. On reflection, however, I thought it better to trust and wait.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
Wilmington, February 28, 1865.

Lieut. Gen. U. S. GRANT, *City Point, Va.:*

GENERAL: I have just received your dispatch of the 22d instant, containing General Lee's statement that I had refused to receive our prisoners. General Lee is mistaken as to the fact. I did not refuse to receive them, but replied to General Hoke that I had received no official information of any arrangement by which prisoners were to be delivered to me, and asked on what terms they were to be delivered. I intended to receive them, if his answer should be satisfactory, without waiting for your instructions. It would have been impossible to have received the prisoners at the time and place named by General Hoke without suspending operations against Wilmington, therefore no unnecessary delay was occasioned by my waiting for further information before receiving the prisoners. I have also agreed to a proposition from Lieutenant-General Hardee to secure about 1,000 sick and convalescent prisoners from the Department of South Carolina. They are to be sent in on the Manchester road to-morrow.

I inclose herewith copies of all correspondence* with General Hardee, General Hoke, and Colonel Hatch, assistant agent of exchange.

I am, general, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General.

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*See Hoke to Commanding General U. S. Forces, February 19, 22, pp. 268, 290; Schofield to Hoke, February 21, 23, pp. 286, 297; Hatch to Schofield and Schofield to Hatch, February 23, pp. 296, 297; Schofield to Hardee, February 27, p. 315.

75 MURRAY STREET, *New York, February 28, 1865.*

Statement of shipments of supplies by Brig. Gen. W. N. R. Beall, Provisional Army, C. S., paroled prisoner and agent paroled to distribute supplies to prisoners of war held by the United States.

Date.	Prison.	Mode of transportation.	Blankets.	Coats and jackets.	Pants.	Shirts.	Drawers.	Socks.	Shoes.
1865.									
Feb. 4	Elmira, N. Y	U. S. quartermaster.	984	.....	.....	.....	.....	1,000	.....
7	.....do	Express	.....	150	150	.....	.....	.....	.....
15	.....do	U. S. quartermaster.	464	980	900	950	1,200	500	1,020
25	.....do	.....do	.....	995	1,530	550	780	1,000	1,040
4	Point Lookout, Md	.....do	1,968	.....	.....	.....	.....	1,000	.....
17	.....do	.....do	188	1,050	995	900	600	988	1,980
25	.....do	.....do	500	1,545	1,555	1,418	.....	300	1,000
8	Fort Delaware, Del	.....do	984	.....	209	.....	.....	1,000	.....
11	.....do	Express from Baltimore.	202	186	563	.....	848	156	475
14	.....do	U. S. quartermaster.	500	900	1,004	1,340	600	500	1,000
18	Fort Lafayette, N. Y	.....do	10	50	20	30	30	50	20
10	Camp Chase, Ohio	.....do	984	260	200	.....	600	840	.....
22	.....do	.....do	1,000	1,000	1,010	1,950	500	.....	1,960
10	Camp Douglas, Ill	.....do	984	260	200	.....	600	1,200	.....
20	.....do	.....do	500	1,000	1,020	2,000	250	800	640
11	Camp Morton, Ind	.....do	1,000	540	560	720	600	1,200	.....
20	.....do	.....do	500	1,040	1,025	1,010	1,000	60	800
11	Rock Island, Ill.	.....do	1,000	550	565	770	600	1,200	.....
22	.....do	.....do	480	1,000	1,080	1,990	500	200	.....
14	Fort McHenry, Md	Express from Baltimore.	50	20	50	.....	50	60	50
1, 9	West's Buildings, Baltimore, Md.	.....do	50	10	50	.....	50	50	50
18	Fort Warren, Mass	U. S. quartermaster.	50	50	100	200	100	150	160
21	Alton, Ill	.....do	300	300	330	490	500	471	500
17	Johnson's Island, Ohio	.....do	500	307	500	800	110	789	420
17	Governor's Island, N. Y.	.....do	50	25	50	22	90	111	60
	Total		13,248	12,218	13,636	15,140	9,608	13,625	11,175

Statement of contributions received and distribution of 1,078 packages tobacco, &c., received from the South February 4, by Brig. Gen. W. N. R. Beall, Provisional Army, C. S., paroled prisoner and agent.

Date.	Prison.	Mode of transportation.	Number of packages.
1865.			
Feb. 6	Fort Lafayette, N. Y	Express	4
10	Camp Chase, Ohio	U. S. quartermaster	29
22	.....do	.....do	10
10	Camp Douglas, Ill	.....do	5
11	Camp Morton, Ind	.....do	12
11	Rock Island, Ill	.....do	22
22	.....do	.....do	10
18	Fort Warren, Mass	.....do	7
17	Johnson's Island, Ohio	.....do	11
25	Governor's Island, N. Y	Express	4
15	Elmira, N. Y	U. S. quartermaster	196
14	Fort Delaware, Del	.....do	669
28	On hand in No. 75 Murray street		99
	Total		1,078

Respectfully submitted.

WM. N. R. BEALL,
Brigadier-General, Provisional Army, C. S.,
Paroled Prisoner and Agent to Supply Prisoners of War.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., February 28, 1865.

Maj. Gen. H. W. HALLECK,
Chief of Staff U. S. Army, Washington, D. C.:

I have the honor to report that John Overton, a rebel citizen who did reside near this city until about the time of its occupation by the U. S. army, when he abandoned his property and left the State, has returned, having in his possession evidence of having taken the oath of allegiance to the United States Government before the U. S. district court of Kentucky.

I would respectfully inquire whether it is within the intention and meaning of the President's amnesty proclamation to permit such persons to take the oath of allegiance in States other than the one to which they belong. I would respectfully request if such is the intention that in cases of applications being made by rebels desiring to return to this department such applications be referred to me before action being taken thereon and that permission to take the oath and return be granted only upon my recommendation, or what would be still better, that all such cases be referred to me for final action within my own department.

I am, general, very respectfully, your obedient servant,

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

GENERAL ORDERS, No. 25. } HDQRS. MIL. DIV. OF WEST MISS.,
New Orleans, La., February 28, 1865.

The following-enumerated officers and men, prisoners of war, who were delivered to Col. C. C. Dwight, agent of exchange for this military division, at Red River Landing, La., on the 25th instant, are hereby declared duly exchanged, viz:

Forty-third Indiana Volunteers: 1 major, 1 captain, 2 lieutenants, 32 non-commissioned officers, and 123 privates.

Thirty-sixth Iowa Volunteers: 2 captains, 4 lieutenants, 45 non-commissioned officers, and 242 privates.

Seventy-seventh Ohio Volunteers: 2 captains, 5 lieutenants, 41 non-commissioned officers, and 233 privates.

Ninth Wisconsin Volunteers: 1 captain, 2 non-commissioned officers, and 12 privates.

Leaves of absence and furloughs may be granted to the foregoing officers and men by the commanding general Department of the Gulf, at the expiration of which they will report to their several regiments for duty.

All the remaining officers and men, prisoners of war, so delivered to Colonel Dwight, who still remain on parole, may also be granted leaves of absence and furloughs, at the expiration of which, unless previously declared exchanged, they will report at Parole Camp, at Benton Barracks, Mo.

By order of Maj. Gen. E. R. S. Canby:

C. T. CHRISTENSEN,
Lieutenant-Colonel and Assistant Adjutant-General.

NEW ORLEANS, LA., *March 1, 1865.* (Via Cairo.)

His Excellency A. LINCOLN, *President of the United States:*

I have given a pass to enter our lines, and safe-conduct and protection while within them, to Smith P. Bankhead, a brigadier-general in the rebel service, with the assurance that if the information he gives is of its promised value I will recommend his case to your favorable consideration. As similar overtures have been made to me before, I think it proper to ask for some general instructions with regard to that class of persons excepted by your proclamation of December 8, 1863. There is no difficulty in treating with persons who are entitled to the benefit of that amnesty, but I desire to be advised how far I may take preliminary steps in cases that require the action of the President.*

ED. R. S. CANBY,
Major-General, Commanding.

VARINA, VA., *March 1, 1865.*

Lieutenant-General GRANT, *City Point, Va.:*

Your dispatch received. I am glad of your decision. Pryor does not yet know that he has been detained. I persuaded him yesterday to remain, and was waiting until I could hear from Ould, to whom I wrote a private note yesterday in Dent's case, and I really have strong hopes that it will result in the release of Mr. Dent. I sent Capt. Hewitt Lewis to you this morning.

JNO. E. MULFORD,
Lieutenant-Colonel and Assistant Agent of Exchange.

VARINA, VA., *March 1, 1865.*

Colonel DENT, *Aide-de-Camp, City Point:*

Our prisoners will not be down to-day, nor will they come until the water subsides. I am unwilling to permit our men in their present condition to march twelve miles over such roads as we now have.

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

WASHINGTON, *March 1, 1865.*

Lieut. Col. JOHN E. MULFORD,
Agent for Exchange, Fort Monroe, Va.:

I wish you, without delay, would arrange with Judge Ould for a declaration of exchange, either mutually to a definite time or according to a stated number, say 1,000, 2,000, or 5,000, as may be agreed upon. General Hoffman needs relief by a declaration.

E. A. HITCHCOCK,
Major-General of Volunteers and Commissioner of Exchange.

HEADQUARTERS ARMY OF THE JAMES, *March 1, 1865.*

Major-General HITCHCOCK:

The high water has prevented an interview with Mr. Ould for several days. I expect to meet him to-morrow, when I shall arrange an

*For reply see Stanton to Canby, Series I, Vol. XLVIII, Part I, p. 1216.

exchange up to the 7th and, if possible, to include all of February, embracing deliveries made at Savannah, Charleston, and in James River. Will this be satisfactory? Answer.

JNO. E. MULFORD,
Lieutenant-Colonel and Assistant Agent of Exchange.

WASHINGTON CITY, D. C., *March 1, 1865.*

Lieutenant-Colonel MULFORD, *Fort Monroe:*

General Hoffman suggests that you and Judge Ould may agree to a declaration to include all to a given date. He wishes that of the 7th of February. Then your accounts of delivery will show which party is in debt to the other, which can be adjusted afterward.

E. A. HITCHCOCK,
Major-General of Volunteers.

NASHUA, N. H., *March 1, 1865.*

General HITCHCOCK:

DEAR SIR: The inclosed card from the President I offer you as my introduction, only adding that the President directed me to request you before taking final action upon the case I am about to present to bring it to his attention and confer with him. You may remember that in the autumn of 1861, by direction of military authorities commanding national forces in Kentucky, the citizens of East Tennessee burned several bridges on the East Tennessee and Virginia Railroad. Assured of prompt military assistance and protection from Kentucky by said authorities, the loyal people of my county (Carter County, East Tenn.), after the successful burning of the bridge over Holston River at Zollicoffer, hastily took up arms and actually came into collision with and routed a force of rebel cavalry. Having thus committed themselves to rebellion against the rebellion, and failing to receive the promised assistance, overwhelming numbers were soon collected and marched upon them, cavalry, infantry, and artillery. The loyal militia dissolved at once and scattered, seeking safety in the mountains, expecting and threatened with the halter without mercy when caught.

Fortunately for the loyal citizens of that region, Col. (now Brig. Gen.) R. B. Vance, of the rebel service, at this juncture was put in command of this district. I, with the other Union men, concealed myself in our mountain fastnesses for weeks. I at length received assurances from Colonel Vance if I would report to him he would protect me and all other citizens not shown to be bridge-burners upon quiet submission to the existing power. A company of cut-throat rebel horsemen on the lookout for me, with the avowed intention (as I was credibly informed) of hanging me to a tree or shooting me down on sight, got on my track, came near intercepting me, and pursued me to the very headquarters of Colonel Vance. He most kindly and magnanimously protected me and saved my life. By his moderation and clemency while in the command during these exciting and dangerous troubles I am entirely satisfied that he saved the lives and property of hundreds of my Union fellow-citizens of Carter and surrounding counties. As a rebel brigadier-general this same Col. Robert B. Vance has been a prisoner of war in our hands for more than a year and is now at Fort Delaware. He is

anxious to be paroled and sent through the lines to send his equivalent in exchange, or on failure to return himself to prison. Such a case, it seems to me, general, pleads loudly for special favor to the magnanimity of our authorities, and I feel it to be unnecessary to do more than offer the foregoing simple statement of facts for your consideration and action. Never having been honored with your personal acquaintance, I respectfully refer you in reference to myself to Hon. Andrew Johnson, Hon. Green Clay Smith, and the loyal people of Tennessee, as also to Maj. Gen. A. E. Burnside. My present address is Longacoming, N. J.

I have the honor to be, general, very respectfully, your obedient servant,

N. G. TAYLOR.

[Indorsement.]

MARCH 6, 1865.

Colonel Taylor submitted this note with a card from the President, by which the undersigned understands it to be the wish that this exchange be made, unless there is some public reason why it should not be done, and it is sent accordingly for the action of General Hoffman.

E. A. HITCHCOCK,
Major-General of Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 1, 1865.

Brigadier-General SCHOEPF, *Commanding Fort Delaware:*

The transfer of prisoners to City Point will be resumed, as directed in my telegram of the 23d. Send an ordinary roll to this office on the departure of each party. Guerrillas will not be forwarded until further orders, nor any who are bad characters. Reply.

W. HOFFMAN,
Commissary-General of Prisoners.

(Same, *mutatis mutandis*, to Col. B. F. Tracy, Elmira, N. Y.; W. P. Richardson, Camp Chase, Ohio; A. A. Stevens, Camp Morton, Ind.; A. J. Johnson, Rock Island, Ill.; B. J. Sweet, Camp Douglas, Ill.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 1, 1865.

Col. C. W. HILL, *Commanding Johnson's Island, Sandusky, Ohio:*

COLONEL: By instructions received through the commissioner for exchange you will forward for exchange with next party of prisoners Brig. Gen. Edmund W. Rucker and the lieutenant-colonel who has been longest in confinement, the former to be exchanged for a general officer of the same rank and the latter to be exchanged for Lieut. Col. Daniel Grass, Sixty-first Illinois Volunteers, who was paroled at Meridian, Miss., by General Forrest on condition of his effecting the exchange of Col. E. W. Rucker, wounded and captured at Nashville. Put the names on a roll by themselves and give the above details.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HDQRS. SEVENTY-FOURTH U. S. COLORED TROOPS,
Ship Island, Miss., March 1, 1865.

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending the month of February, 1865:

Conduct—good. Cleanliness—good. Clothing—good, considering the cold weather abated. Bedding—straw. State of quarters—tents rotten. State of mess-houses—none. State of kitchen—good. Food, quality of—good. Food, quantity of—plenty. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—good. General health of prisoners—good. Vigilance of guard—excellent.

The tents now occupied by the prisoners are so rotten that a norther tears them down by the dozen. Can the prison fund be used for ordering lumber, &c., to build barracks?

Respectfully referred to the Commissary-General of Prisoners.

ERNEST W. HOLMSTEDT,
Colonel Seventy-fourth U. S. Colored Troops,
Commanding Ship Island, Miss.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 28, 1865.

Respectfully returned to Col. E. W. Holmstedt, commanding Ship Island, whose attention is called to paragraph IX of the circular from this office of 20th of April, 1864, and to the "directions" printed on this form, and he will furnish without delay the plans and estimates for the barracks which he reports as necessary. Much time would have been saved if he had been governed by these orders before asking authority to build barracks.

By order of Brig. Gen. W. Hoffman, Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS, *Ship Island, April 18, 1865.*

Respectfully returned, explaining why the question within was asked.

Capt. M. R. Marston, First U. S. Infantry, commissary of prisoners at New Orleans, arrived at this post November 24, 1864, with a plan for the construction of prisoners' barracks as proposed by General W. Hoffman, Commissary-General of Prisoners. I was requested to submit a plan of my own, which done, was told to await further orders.

ERNEST W. HOLMSTEDT,
Colonel, Commanding Post.

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Eastport, March 1, 1865.

General W. D. WHIPPLE,
Assistant Adjutant-General and Chief of Staff:

I have the honor to inclose my report of the trip to Dixie. I send it by a special messenger and have directed him to wait for dispatches in return. Will you have the kindness to present the matter to the

general commanding, and send the messenger back by return train if possible. I have some important private business to transact at Murfreesborough on the 11th instant, but I am fearful I shall not be able to do it and attend to my duty here. If I knew anyway to be relieved for a few days in case I should not get through here before the 8th instant, I would like to have it done, but my assistants in Nashville cannot be spared from their posts any more than I can here, and the only way would be to let such prisoners as might be on hand wait my return, and that would seem to be hard on the prisoners, as they will all be suffering and anxious to get to their homes; still I would like the permission to leave here on the 8th, to go to Murfreesborough and return on the 12th, in case I should not have finished my duties here before then, and should find that the interest of the service would not be jeopardized and our prisoners would not suffer by my doing so.

I inclose an advertisement of a sheriff's sale, which I feel quite anxious to attend.

In my interview with Forrest he said he thought Lee would have to get out of Richmond, and that he would move his army into Kentucky, and that he would march with 200,000 men into Illinois this summer.

The rebel authorities are enrolling the negroes in Mississippi preparatory to putting them into the service.

I remain, general, very respectfully, your obedient servant,

J. G. PARKHURST,

Colonel and Provost-Marshal-General.

P. S.—I inclose the latest rebel papers I could get. Forrest brought none up with him and none came up after he left.

J. G. P.

[Inclosure.]

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Eastport, Miss., March 1, 1865.

Brig. Gen. W. D. WHIPPLE,
Assistant Adjutant-General and Chief of Staff:

I have the honor to report that, agreeably to orders from department headquarters, issued February 17, 1865, I left Nashville on the morning of the 19th of February with dispatches for Major-General Forrest, of the rebel Army, and reached Eastport, Miss., on the evening of the 20th of February. Owing to a delay in furnishing an escort I did not get away from Eastport until about 11 o'clock on the morning of the 21st. I was provided with an escort of twenty men and ten days' rations and forage. On reaching Burnsville I found that there were no rebel troops there and none at Corinth, and that there was neither railroad nor telegraphic communication between Corinth and West Point, where General Forrest's headquarters are located.

I remained at Burnsville until the morning of the 22d, when I started for Rienzi; found no rebel troops until I reached a point about one mile from Jacinto, where there were five rebel scouts, but found no pickets, and saw nothing of any (rebel) troops until I reached Tuscumbia River, where there was a picket-post in charge of Lieutenant Phipps, of the Tenth Tennessee (rebel) Cavalry. Lieutenant Phipps halted me and desired to know the object of the flag, and I informed him I was the bearer of dispatches to General Forrest and desired to communicate with him from Rienzi by telegraph; that I could not make known my business to him, and could communicate with General Forrest only from

Rienzi. Lieutenant Phipps allowed me to pass on and escorted me and my escort into Rienzi. I immediately went to the telegraph office and sent the following communication to General Forrest, at West Point, viz:

RIENZI, *February 22, 1865.*

Maj. Gen. N. B. FORREST,
Comdg. Dept. of Mississippi and East Louisiana, C. S. Army, West Point:

I have the honor to report my arrival at this place under flag of truce as the bearer of dispatches from Major-General Thomas, U. S. Army, commanding Department of the Cumberland, to yourself. I have some important dispatches, and am authorized to make arrangements for an immediate exchange of prisoners. I most respectfully request a personal interview at your earliest pleasure.

I am, general, very respectfully, your obedient servant,

J. G. PARKHURST,
Colonel and Provost-Marshal-General, Department of the Cumberland.

To which dispatch I received the following answer on the morning of the 23d of February, viz:

WEST POINT, *February 23, 1865.*

Colonel PARKHURST, *Rienzi:*

Will be up on train this evening.

N. B. FORREST,
Major-General.

About 9 o'clock on the evening of the 23d I met General Forrest at the house of Mr. Rowland. He was accompanied by Major Anderson and Judge Caruthers of his staff. The general received me (and Captain Hosea, who, at General Wilson's request, accompanied me) very cordially. I presented the dispatches from the general commanding, after reading which General Forrest remarked that he desired an absolute and immediate exchange of prisoners, rank for rank and man for man, and did not wish to give or take paroles, but that he was anxious for an exchange and would accept the proposition, but that he could not consummate the arrangements for the exchange until he had submitted the papers to Lieutenant-General Taylor, who was in command of the Department of Alabama, Mississippi, and East Louisiana. General Forrest is in command of all the cavalry in the department and of the District of Mississippi and East Louisiana.

General Forrest, however, said that he would go immediately to Meridian and see General Taylor, and that if I would wait at Rienzi until the evening of the 25th he would inform me by telegraph of General Taylor's decision, and also at what time the prisoners in their hands would be forwarded to Iuka, and about the number of prisoners in their department. I agreed to remain in Rienzi and await his reply. He delivered his answers to the communication from the general commanding to me in writing, which are herewith forwarded. He also gave me a copy of a telegram from General Taylor received by him after he reached Rienzi. From this dispatch, an official copy of which I herewith inclose, it appears that General Forrest was not authorized to make any agreement, but that all matters were to be submitted for the decision of Lieutenant-General Taylor. In relation to guerrillas, General Forrest remarked that he was as anxious to rid the country of them as was any officer in the U. S. Army, and that he would esteem it a favor if General Thomas would hang every one he caught.

General Forrest desired the prisoners in our hands belonging to General Roddey's command sent to Iuka with other prisoners. He cared but little about them, as they were not of much service or account.

General Forrest left Rienzi for Meridian on the morning of the 24th of February at 8 o'clock. I heard nothing from him on the 25th, nor on the 26th, but, supposing the delay occasioned by the telegraph wires

being down and the railroad track having been washed away by the heavy rains, I remained in Rienzi until the evening of the 27th. About 6 o'clock I received the following dispatches, viz:

LAUDERDALE, *February 26, 1865.*

Colonel PARKHURST, U. S. Army:

Owing to heavy rains and washing of track I have not seen General Taylor. Will do so to-day and telegraph you from Meridian.

N. B. FORREST,
Major-General.

MERIDIAN, *February 26, 1865.*

Colonel PARKHURST, U. S. Army:

Col. N. G. Watts, assistant to Col. Robert Ould, has been sent for by Lieutenant-General Taylor. As soon as he arrives he will be sent to Iuka to perfect the exchange of prisoners as agreed upon and to deliver them. It will not be necessary for you to remain longer at Rienzi.

N. B. FORREST,
Major-General.

To which telegrams I sent the following reply:

RIENZI, *February 27, 1865.*

Maj. Gen. N. B. FORREST, *West Point:*

Your two telegrams have just been received. I will leave here in the morning, and hope to receive the prisoners at Iuka as early at least as you stated to General Thomas they would be sent.

I left Rienzi on the morning of the 28th of February and came as far as Burnsville and stayed over night, and left Burnsville this morning at 8 o'clock and reached Eastport at 3 o'clock this afternoon.

In going out I found the roads in very good condition, and experienced but little inconvenience from bad roads on my return. The rains had washed away one bridge near Rienzi, over the Tuscumbia, which I had rebuilt by men of the escort.

The citizens of the county of Tishomingo are in a very destitute condition, and are all depending upon supplies from the Mobile and Ohio Railroad. Pursuant to the arrangement made, a train of cars loaded with supplies arrived in Rienzi on the morning of the 28th ultimo and proceeded to Corinth. It is expected that supplies will be sent to Burnsville and Iuka in a day or two. The railroad is in running order to Corinth, and the road to Iuka is in good condition, with the exception of the trestle over Yellow Creek, which the citizens were to have repaired to-day.

From such information as I could gather, I am satisfied that Lieutenant-General Taylor's headquarters are at Meridian. Major-General Forrest's headquarters are at West Point. General Forrest has some troops at West Point. General Jackson has a brigade of cavalry at Verona. There are no troops north of Verona, except picket-posts at the railroad stations. There is a picket-post at Baldwyn, twenty miles south of Rienzi, and a picket-post of about forty men at Rienzi. The lieutenant in charge of the picket at Rienzi is charged with the scouting service to the front and sends his scouts as near Eastport as he can.

I saw in the telegraph office at Rienzi a dispatch from Lieutenant Phipps to the officer in charge at Verona, reporting information from a scout just in from Eastport, saying that "the enemy has from 6,000 to 8,000 mounted and dismounted cavalry at Eastport." The enemy has no troops at Corinth and none north of Rienzi. General Forrest issued an order while at Rienzi directing Major George, who has been hanging around Iuka, to report at once with his command to General Roddey's headquarters for orders. I think there is a small force of rebels at Fulton.

General Forrest informed me that the Federal prisoners were mostly at Cahaba Mines, and that he understood there were from 7,000 to 10,000 Federal prisoners in General Taylor's department.

If so large a number of prisoners should be delivered here it will take some time to get them transported to Saint Louis, as there are no boats here capable of carrying over 400 or 500 men. I would respectfully suggest that to save time and to secure the use of boats for other purposes, the men be sent from this point to Cairo by boat, and be sent from Cairo to Saint Louis by railroad. As these prisoners will be exceedingly anxious to reach their homes, it will be difficult to prevent them leaving the boat and the cars en route to Saint Louis, unless a guard is placed over them, and I would ask for instructions upon the subject and authority to request a suitable detail for a guard en route, and for an extra guard in case of a transfer from the boats to the cars at Cairo. The guard will be most needed at Paducah, where the boats take coal, and from there till they are delivered at Benton Barracks. If a detail of infantry troops could be sent to Johnsonville to report on the boats for duty it would be preferable to taking a guard of cavalrymen from this point.

General Forrest expected to get the prisoners to Iuka by the 3d or 4th instant, but I fear it will be several days later before they reach there.

Permit me to inquire if the general commanding expects me to deliver the prisoners to the officer in charge of Benton Barracks, or will an officer be detailed for that purpose?

Very respectfully, your obedient servant,

J. G. PARKHURST,
Colonel and Provost-Marshal-General.

[Sub-inclosure No. 1.]

HDQRS. CAVALRY, DEPT. OF ALA., MISS., AND EAST LA.,
Rienzi, Miss., February 23, 1865.

Maj. Gen. G. H. THOMAS,
Comdg. Department of the Cumberland, Nashville, Tenn.:

GENERAL: I have the honor to acknowledge the receipt of your favor of the 17th instant per Colonel Parkhurst.*

Your proposition to exchange prisoners is accepted, subject, however, to the approval of the lieutenant-general commanding this department, which I have no hesitation in saying will be readily given. Will inform you by flag of truce at the earliest possible moment of his approval, and think the prisoners now in our hands can be delivered at Iuka by the 3d or 4th of March.

The trains also for supplying the destitute citizens along the line of the Mobile and Ohio and the Memphis and Charleston Railroads will be run subject to the conditions named in your letter. No Confederate soldiers or officers will be authorized or allowed to go upon those trains. At the same time you are fully aware that the border is infested by lawless bands of deserters from both armies, and in case they should force themselves upon the train I hope you will not act hastily in the matter. To prevent such an occurrence was my reason for proposing to place a sufficient guard upon the trains to enforce a strict observance of the agreement. At any rate, every effort will be made to carry out the agreement in good faith.

I will place in the hands of the conductors operating the train or trains a safeguard, enumerating and naming each man upon the train,

* See Series I, Vol. XLIX, Part I, p. 735.

with orders to run them under a "white flag" as often as may be necessary for the purpose as agreed.

The people here are compelled to have corn until they can raise a crop. The trains will be run exclusively to supply them, and [on] no condition whatever are they to be used for military purposes by either Federal or Confederate authority.

As to the prisoners of General Roddey's command, as well as all others belonging to our Army which it may be desired or desirable to deliver in this department, I request them sent to Iuka or any point which may be agreed upon or designated by Lieutenant-General Taylor for the delivery of all prisoners now in this department belonging to the Federal Army.

In regard to the murder of Federal soldiers by guerrillas and the threatened execution of a number of Ferguson's brigade in retaliation, I have nothing to say. I know nothing of the facts and can only forward the papers to General Beauregard, commanding the Military District of the West, for his consideration and action.

The communications in regard to Major Smith, captured at or near Murfreesborough, will receive attention. If retained as a prisoner of war he was doubtless sent forward by General Hood in advance of my command. The papers will be forwarded, and if he is in this department he will be sent to Iuka. All citizens captured by me were released, and although I am not cognizant of any charges against Major Smith, he will either be returned or copies of charges against him forwarded to you, provided there are any.

Assuring you, general, of my willingness and desire to relieve the suffering and alleviate the condition of the soldier in captivity and the wants of the destitute and dependent women and children of the country,

I am, yours, very respectfully,

N. B. FORREST,
Major-General.

[Sub-inclosure No. 2.]

MERIDIAN, *February 23, 1865.*

Maj. Gen. N. B. FORREST:

Receive General Thomas' propositions and send them here for decision. Make [no] agreement until empowered by the lieutenant-general commanding to do so. He will send you necessary power and instructions as soon as he sees or receives the propositions.

By order of Lieutenant-General Taylor:

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

HDQRS. DIST. OF TEXAS, NEW MEXICO, AND ARIZONA,
Houston, March 1, 1865.

Lieut. Col. IG. SZYMANSKI,
Assistant Commissioner of Exchange, Shreveport, La.:

COLONEL: Inclosed with this I send you several letters from Second Asst. Engineer Richard Finn, C. S. Navy, from which it will be seen he was captured on board the steamer Alice on this coast in September last and taken to Fort Taylor, Fla., where with others captured at the same time he is confined and subjected to the harshest treatment, not such as prisoners of war, as they are, have a right to demand.

I write to solicit your kind offices in behalf of these unfortunate men, and to suggest that the Federal authorities be notified of their status in our service, and that they be required to place them on the footing

of other prisoners of war. The names of these men are Richard Finn, second assistant engineer, C. S. Navy; James L. Mitchell, assistant engineer, marine department, District of Texas; Private Thomas Brick, Company C, Cook's [Coast] Rangers, C. S. Army; Private Thomas Richford, Company B, Cook's [Coast] Rangers, C. S. Army.

I am, colonel, very respectfully, your obedient servant,

J. G. WALKER,
Major-General, Commanding.

[MARCH 1, 1865.—For Longstreet to Lee, relative to exchange of political prisoners, see Series I, Vol. XLVI, Part II, p. 1276.]

[MARCH 2, 1865.—For Lee to Grant, relative to the exchange of political prisoners, see Series I, Vol. XLVI, Part II, p. 825.]

CITY POINT, VA., *March 2, 1865.*

Col. WILLIAM HOFFMAN, *Commissary-General of Prisoners:*

You may commence forwarding rebel prisoners for exchange.

U. S. GRANT,
Lieutenant-General.

VARINA, VA., *March 2, 1865.*

Major-General HITCHCOCK, *Washington:*

I can arrange exchange to March 1, or to February 1 if you prefer it. Cannot agree on 7th of February. March 1 will be in our favor. Shall I make the arrangement?

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 2, 1865.

Col. B. F. TRACY,
Commanding Depot Prisoners of War, Elmira, N. Y.:

COLONEL: By direction of Lieutenant-General Grant you will forward for exchange with next party all citizens, prisoners, whose homes are within the rebel lines who are not awaiting trial on grave charges or who are not undergoing sentence, after which you will please furnish to this office a list of all citizen prisoners who are detained, with charges upon which they are held. Send duplicate parole-rolls with those forwarded and an ordinary roll to this office with a list of those retained.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

(Similar instructions to commanding officers of all military prisons.)

COLUMBUS, OHIO, *March 2, 1865.*

Col. M. MILLS,
Medical Inspector-General U. S. Army, Washington, D. C.:

COLONEL: As some days will pass before my reports of inspections made in February will be ready for transmittal to you, I respectfully

submit for your immediate consideration the following special report concerning the military prison on Johnson's Island, Ohio:

SPECIAL REPORT.

Locality and topography.—The military prison for commissioned officers, prisoners of war, is located on Johnson's Island, Sandusky Bay, Ohio. The island is three miles from Sandusky City and about one mile from the mainland on the opposite side. The soil is a mixture of clay and loam, from two to eight feet in depth, resting on hard limestone rock, which in many places crops out upon the surface. Near the center of the island, which is about a mile and a half long by from one-quarter to one-third of a mile wide, is an elevated ridge running parallel with the long axis of the island, known as the Hog's Back. On either side of this ridge the ground slopes gradually to the water. The island was formerly covered with forest trees, which have been used for fuel. The Government is now constructing two forts on this island; one, the larger of the two, is situated on the Hog's Back, the other is immediately north of the prison barracks.

Climatology.—As much has been said concerning the climate of this island, and as the Government has been even accused of inhumanity in putting prisoners of war thereon, I place on record the following meteorological statistics of Kelley's Island, which lies near Johnson's Island. They are taken from the annual report of Mr. G. C. Huntington and are copied by me from a Sandusky paper:

Month.	1860.	1861.	1862.	1863.	1864.	Mean.
January	28.60	27.22	27.22	26.48	32.36	28.08
February	29.17	32.42	26.73	29.00	30.02	29.47
March	39.96	34.73	32.93	32.00	33.98	34.72
April	45.25	46.82	44.70	43.03	45.02	44.96
May	61.44	53.28	56.83	59.92	59.95	58.28
June	68.38	68.43	64.80	66.51	69.71	67.56
July	70.69	70.69	73.14	71.42	76.17	72.42
August	70.72	79.82	73.39	72.16	75.00	72.62
September	61.26	65.28	67.09	62.46	64.41	64.10
October	53.40	55.42	54.37	50.14	51.23	52.91
November	40.07	41.04	40.40	43.07	41.00	41.11
December	26.95	35.80	34.39	34.37	28.67	32.04
Annual mean	49.66	50.24	49.65	49.70	50.03	32.04

Military prison.—The barracks constituting the military prison are situated in an inclosure of about seventeen acres. The police and drainage of this inclosure are very defective, but in no particular is this so marked as in that of the sinks.

Condition of sinks.—Owing to the geological formation sinks cannot be dug more than eight feet deep, and blasting to a greater depth is extremely difficult, owing to the character of the rock and the position of its strata. It follows that in a few weeks' time the sinks become full and new pits have to be opened. This has been so often repeated that the ground north and south of the prison barracks for a distance of fifty feet on either side may now be considered as one continuous sink, very superficially covered, and saturating the whole ground down to the rock. At my inspection these sinks were in the filthiest condition imaginable, the excrementitious matter in some of them rising high above the seat and covering the floor.

Remedies.—To remedy this state of affairs two things are necessary: First, the introduction of water and water-closets; second, a more complete system of drainage.

Water.—Water is now supplied by hand force pumps connected with long iron pipes extending into the bay on the north side of the island. I recommend that the Commissary-General of Prisoners be requested to order the immediate construction of a reservoir, 70 by 200 feet and 7 feet deep; the site to be the Hog's Back, a little west of the fort now being constructed thereon; this reservoir to be supplied by a steam engine and force pump, connected with pipes to extend into the bay on the north side of the island; the water to be distributed wherever needed in pipes of 3-inch caliber. In a military point of view, this supply of water is important. I submit estimates of the cost of the proposed work.

Water-tight boxes.—I also recommend that in place of the present sinks the privies be supplied with water-tight boxes, lined with zinc, or with cast-iron troughs connected with water pipes, to be kept flushed with water and drained into the bay on the south side of the island by 6-inch iron pipes.

Drainage.—I further recommend that all the ditches be cleaned and boarded and braced with timber to prevent the sides from falling in as at present; and that a main ditch, similarly planked and braced or walled with stone, be made, extending entirely across the prison inclosure from north to south and as near the center from east to west as the position of buildings will allow.

Cooking and messing.—I also consider as essential to the proper police of these barracks that cooking and eating in the barracks be prohibited, and that both be confined to the mess-halls. It will be necessary, in order to enforce this rule, that the present mess-halls be repaired and floored and furnished with suitable cook-stoves and utensils. I recommend that this be done. It will be seen by the inclosed paper* that the estimated cost of the proposed water-works is $7,079.88. I am informed that the prison fund amounts to $80,000.

I have the honor to be, very respectfully, your obedient servant,

R. H. COOLIDGE,
Medical Inspector, U. S. Army.

DEPOT OF PRISONERS, *Johnson's Island, March 2, 1865.*

Brigadier-General HOFFMAN:

GENERAL: I beg leave to present the following statement of facts and to ask that you have the corrective applied to the wrong complained of: In the recent operations around Nashville, a colonel commanding a brigade of cavalry, I had the misfortune to be wounded and made a prisoner of war. I was borne in a suffering condition to one of your hospitals, when without my knowledge, I am sure without being interrogated as to my rank, I was enrolled it seems as a brigadier-general. No opportunity was offered after my attention was called to this error until I reached the prison at Louisville, when I promptly sought to correct it both as a matter of taste and as a matter of right. This I was informed would be done at this depot. Now, I am advised by the colonel commanding this prison that "no authority exists here for the alteration or correction of rolls sent here with prisoners." I state that my rank is colonel of cavalry, commanding, as many officers of similar rank in your army, a brigade, and that an unwarrantable injustice seems likely to be inflicted by this unauthorized brevet, since general officers are not likely to be embraced in the present exchange.

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*See Morton to Hill, July 23, 1864, Vol. VII, this series, p. 488.

My situation is such, having lost an arm, suffered a fracture of several ribs, and a severe contusion of the shoulder, as to entitle me to precedence in exchange among the sick and disabled, and I am not willing, for the honors of the brevet rank thus imposed, to suffer the hardships of confinement if there is a corrective. Upon this candid statement of facts I rely upon your having me correctly enrolled.

I am, general, very respectfully, your obedient servant,

EDMUND W. RUCKER,
Colonel, C. S. Army.

[Indorsement.]

HDQRS. U. S. FORCES AT JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, March 3, 1865.

Respectfully forwarded to Bvt. Brig. Gen. W. Hoffman, Commissary-General of Prisoners.

The writer's statement that he is advised that "no authority exists here for the alteration or correction of rolls sent here with prisoners" is incorrect. He was informed that the particular alteration he desires cannot be made here for want of evidence to confirm his statements.

CHAS. W. HILL,
Colonel, Commanding.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., March 2, 1865.

Maj. Gen. H. W. HALLECK, U. S. Army,
Chief of Staff Armies of the United States, Washington, D. C.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 19th ultimo, giving directions concerning the disposal of the rebel prisoners of war in my hands; also your letter of the 21st ultimo, directing that John A. Baker, colonel North Carolina cavalry, a prisoner of war, at Fort Pulaski, Ga., be released on his taking the oath of allegiance to the United States.

Very respectfully, your obedient servant,

Q. A. GILLMORE,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., March 2, 1865.

Col. J. G. PARKHURST,
Provost-Marshal-General, Department of the Cumberland:

SIR: Major-General Thomas directs that you make arrangements for the exchange of Lieut. Col. Daniel Grass, Sixty-first Regiment Illinois Infantry. He was captured by Forrest's command the 15th of last December and paroled by General Forrest for the purpose of procuring a special exchange for Col. E. W. Rucker, of Forrest's command. Rucker was captured as a brigadier-general and has claimed to be such ever since his capture. Lieutenant-Colonel Grass can be exchanged with other officers sufficient to make up the difference in rank, or he may be exchanged for any Confederate officer of equal rank with himself as you can arrange.

Respectfully, yours,

WM. D. WHIPPLE,
Brigadier-General and Chief of Staff.

WAR DEPARTMENT, *Richmond, March 2, 1865.*

Judge ROBERT OULD, *Commissioner of Exchange, Richmond:*

SIR: The Secretary of War desires that you will make application to the Honorable Secretary of the Navy for boats sufficient to assist in transporting prisoners from the point of landing to this city. He trusts that you will be enabled to procure such facilities, as the present arrangement must entail much suffering and disorder.

Very respectfully, your obedient servant,

SAML. W. MELTON,
Lieutenant-Colonel and Assistant Adjutant-General.

[Indorsement.]

RICHMOND, *March 5, 1865.*

Respectfully returned to the Honorable Secretary of War.

I have under my control steam-boat transportation for at least 2,000 prisoners daily. I can bring up the river three times as many prisoners as the enemy delivers, if there is no freshet. The difficulty has not been the want of transportation, but that the transportation which we had could not get up or down the river. Any transportation which the Secretary of the Navy could furnish (to any material extent) would be less able to get through the obstructions and stem the current than that which we already have. Admiral Semmes has always complied with every request for vessels that I have made upon him. Upon a late occasion he furnished all he had, and when the best of these made the attempt to get through the obstructions it failed, and came near drowning all on board. During a freshet we cannot bring the prisoners up the river, no matter how many boats we have. When there is no freshet I can bring with my present transportation three times as many as the enemy delivers.

RO. OULD,
Agent of Exchange.

EXCHANGE BUREAU, *March 2, 1865.*

Hon. ROBERT OULD:

SIR: On Saturday, the 25th ultimo, I went to the wharf at Rocketts at 9 a. m. for the purpose of going to Boulware's Wharf to meet Colonel Mulford, the Federal commissioner, who was to deliver at that point on that day 1,500 of our returning prisoners. I found the river so high that the transport steamer William Allison could not go down on account of being unable to pass the obstructions at Drewry's Bluff. At your request I went down to Boulware's in a small steamer to meet Colonel Mulford with the prisoners. They arrived about 12 o'clock, and I was introduced by him to them. I stated to them that it was impossible on account of high water to get boats down to transport them to Richmond, but that if they were willing to march there I would conduct them. They responded with a cheer and it was my impression that they were willing unanimously to make the march. After getting inside of our lines a good many of them seemed tired and some of them sick. All this class of men I cut off at General G. W. C. Lee's headquarters and determined to take them to Wilton Bridge, the nearest point on the river above the obstructions at which a boat could land. I got him (General Lee) to telegraph to you to send a boat to that point, and also to Admiral Semmes for one of his small propellers, the

only kind of boat that could pass the obstructions, to bring the men to Richmond. I got them under shelter at Wilton and got rations for them from the commissary. The Torpedo, a small propeller, was sent up by the admiral, the men were put on board and brought to the city. On our way up we were met by the Allison, which had been sent down by you to take them. I agreed to meet Colonel Mulford the following day, which was Sunday, if it met your approbation, at Cox's Wharf by way of the river to make arrangements to bring up the remainder of the men, but it was impossible to get there, the river continuing to rise all the time.

On Monday, at your request, I went by land to Boulware's Wharf and met Colonel Mulford. I stated to him that it was impossible to get down the river with the boats, and that all of the men he had on his vessels who could walk to Richmond and were willing to do so would be received at that point the next day at 10 o'clock.

Sufficient transportation could not be had for the number he expected to deliver (2,000 men), and whom he represented as being very anxious to come, if the state of the roads had not rendered it totally impracticable to transport them by land. With this understanding he sent notices to all of the vessels he had at Varina that he would deliver such of them as could walk to Richmond the next morning at Boulware's. I went down on Tuesday morning and received 231 officers and 1,386 enlisted men. On getting the men inside of our lines I found that many of them could not make the march to Richmond. I sent a messenger to the officer in command at Chaffin's Bluff to know whether he would receive these men and get Admiral Semmes to send them up in one of his small propellers. He agreed to do so, and I turned back all of them who were within a mile of the bluff. Cooked rations for 2,000 men had been provided and what ambulance transportation I could procure; all of which met me at Cornelius' Run within half a mile of the point at which I turned back the last of the men to Chaffin's. I got all of the men up, the rations were issued to them, and those least able to march were put into the ambulances and wagons. After getting a mile or so I found that there were others who could not march to Richmond that night, and failing to get any transportation from the quartermasters on the road, I saw the brigade surgeon of Du Bose's brigade and got him to receive in his hospital those whom I thought could not get to town, intending to send for them. I stayed in the rear of the column until they were all within two miles of the city, and had provided for every man whom I thought could not get here that night in good time. A portion of those who went to Chaffin's came up the same afternoon, the remainder the next morning. I met next morning a good many of those left at the hospital walking to town, who said they felt able to "make it," and would not wait for the ambulances which were sent for them, so that only eleven remained to be transported, and they were brought in and delivered at the receiving hospital.

On Wednesday all of the transportation that the Government could furnish and that could be procured by the impressment of private vehicles was carried to Boulware's for the purpose of bringing up those unable to march, but no prisoners were delivered by the Federal commissioners. The river having fallen sufficiently, the boats resumed their trips to-day and brought up a number of sick and disabled men.

Very respectfully, your obedient servant,

J. B. BROCK,

Surgeon, Provisional Army, C. S.,

In Charge Transportation of Sick and Paroled.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., March 2, 1865.

Brig. Gen. J. C. VAUGHN, *Bristol, Tenn.:*

GENERAL: Your letter of the 19th ultimo has been received and referred to the agent of exchange. I am directed by the Secretary of War to say that an arrangement for the release of all citizen prisoners has recently been effected. This will obviate the necessity of sending to you any Union men of Tennessee held as prisoners, to be exchanged for the citizens forwarded by the provost marshal of East Tennessee. I am assured by the agent of exchange that all proper subjects for release belonging to this class, including those at Salisbury, will be delivered at the earliest possible date at City Point or on the Wilmington lines. You are authorized to communicate this assurance to the provost-marshal of East Tennessee.

Very respectfully, your obedient servant,

SAML. W. MELTON,
Lieutenant-Colonel and Assistant Adjutant-General.

HDQRS. DEPT. OF MISSISSIPPI AND EAST LOUISIANA,
West Point, Miss., March 2, 1865.

Col. J. G. PARKHURST,
Provost-Marshal-General, Dept. of the Cumberland, U. S. Army:

It will be the 10th at least before we can send prisoners to Iuka. High water and bad condition of roads render it impossible to do so earlier.

N. B. FORREST,
Major-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 3, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States, City Point, Va.:

GENERAL: Some months since twenty-six citizen prisoners were, by order of the Secretary of War, sent from the Old Capitol to Fort Delaware to be held as hostages for Union citizens held at Salisbury, N. C. In the meantime some of them have been discharged on taking the oath of allegiance and others are applying to do so. Pursuant to your telegram of the 23d ultimo, and with the approbation of the War Department, I have directed that such of these men as still remain at Fort Delaware who desire to be exchanged be forwarded to City Point for exchange, or to be disposed of as you may think proper. They will be on a list by themselves.

All citizen prisoners of the class designated in your telegram of the 23d have been ordered to be forwarded for exchange, and I will furnish you a list of those who remain, with the charges against them, as soon as reports are received from the camps where they are held.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

CITY POINT, VA., *March 3, 1865.*

Lieutenant-Colonel MULFORD:
(Care General Ord.)

Word has been sent to me that there are in Richmond thirty-four boxes blankets, ten boxes blouses, eighteen boxes shoes, four boxes socks, two boxes shirts, and two boxes pants. Some measures I think should be taken to have these articles returned or cared for, for the benefit of future prisoners. They had probably better be returned.

U. S. GRANT,
Lieutenant-General.

VARINA LANDING, *March 3, 1865.*

General GRANT:

General Hayes holds Judge Ould's receipt for all packages, public and private, left in Richmond. They were left subject to our order. I mentioned the matter to you, and on the understanding I had of the matter authorized the use, under supervision of our own officers there, of such articles as might be needed by our men coming into Richmond from other points, they being mostly sick and wounded. I will call on Mr. Ould to-morrow to return whatever he may now have on hand.

JNO. E. MULFORD,
Lieutenant-Colonel, &c.

WASHINGTON, *March 3, 1865.*

Lieut. Col. J. E. MULFORD:

Agree upon the 1st of March for an exchange declaration and report it to General Hoffman.

E. A. HITCHCOCK,
Major-General, &c.

HDQRS. FIRST DIVISION, DEPARTMENT OF KENTUCKY,
Lexington, March 3, 1865.

Maj. G. M. BASCOM, *Assistant Adjutant-General:*

MAJOR: We have at this place quite a number of Confederate guerrillas and other prisoners awaiting trial and sentence by military commission and court-martial. As the rolls and records relating to these prisoners have been removed to Louisville, I most respectfully suggest that the prisoners be removed to that point also, the buildings and prison accommodation at Louisville being better and more suitable than those at this place. Besides, they will be more securely confined and less liable to recapture. Other prisoners when captured can be forwarded to Louisville in charge of railroad-train guard.

Very respectfully, your obedient servant,

E. H. HOBSON,
Brigadier-General.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., March 3, 1865.

Brigadier-General GRANGER,
Commanding District of Northern Alabama, Huntsville:

Inform General Roddey that I have applied for the prisoners of war belonging to his command to be sent me for exchange, and as soon as they arrive here they will be forwarded to Huntsville.

GEO. H. THOMAS,
Major-General, U. S. Volunteers, Commanding.

[MARCH 3, 1865.—For Special Orders, No. 52, Adjutant and Inspector General's Office, relieving Brig. Gen. W. M. Gardner from duty as Commissary-General of Prisoners, see Series I, Vol. XLVI, Part II, p. 1279.]

MARCH 3, 1865.

Report of the joint select committee appointed to investigate the condition and treatment of prisoners of war.

[By Mr. Watson in Senate and Mr. Perkins in House.]

The duties assigned to the committee under the several resolutions of Congress designating them are—

to investigate and report upon the condition and treatment of the prisoners of war respectively held by the Confederate and United States Governments; upon the causes of their detention and the refusal to exchange, and also upon the violations by the enemy of the rules of civilized warfare in the conduct of the war.

These subjects are broad in extent and importance, and in order fully to investigate and present them the committee propose to continue their labors in obtaining evidence and deducing from it a truthful report of facts illustrative of the spirit in which the war has been conducted.

NORTHERN PUBLICATIONS.

But we deem it proper at this time to make a preliminary report, founded upon evidence recently taken, relating to the treatment of prisoners of war by both belligerents. This report is rendered specially important by reason of persistent efforts lately made by the Government of the United States, and by associations and individuals connected or co-operating with it, to asperse the honor of the Confederate authorities and to charge them with deliberate and willful cruelty to prisoners of war. Two publications have been issued at the North within the past year, and have been circulated not only in the United States but in some parts of the South, and in Europe. One of these is the report of the joint select committee of the Northern Congress on the conduct of the war, known as Report No. 67.* The other purports to be a "Narrative of the privations and sufferings of United States officers and soldiers while prisoners of war," and is issued as a report of a commission of inquiry appointed by "The U. S. Sanitary Commission."†

This body is alleged to consist of Valentine Mott, M. D., Edward Delafield, M. D., Gouverneur Morris Wilkins, esq., Ellerslie Wallace, M. D., Hon. J. J. Clarke Hare, and Rev. Treadwell Walden. Although these persons are not of sufficient public importance and weight to give authority to their publication, yet your committee have deemed it proper to notice it in connection with the Report No. 67 before mentioned, because the Sanitary Commission has been understood to have acted to a great extent under the control and by the authority of the United States Government, and because their report claims to be founded on evidence taken in solemn form.

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* Report No. 67, House of Representatives, Thirty-eighth Congress, first session.

† Printed for the U. S. Sanitary Commission by King & Baird, 607 Sansom street, Philadelphia, Pa., 1864.

THEIR SPIRIT AND INTENT.

A candid reader of these publications will not fail to discover that, whether the statements they make be true or not, their spirit is not adapted to promote a better feeling between the hostile powers. They are not intended for the humane purpose of ameliorating the condition of the unhappy prisoners held in captivity. They are designed to inflame the evil passions of the North; to keep up the war spirit among their own people; to represent the South as acting under the dominion of a spirit of cruelty, inhumanity, and interested malice, and thus to vilify her people in the eyes of all on whom these publications can work. They are justly characterized by the Hon. James M. Mason as belonging to that class of literature called the "sensational"—a style of writing prevalent for many years at the North, and which, beginning with the writers of newspaper narratives and cheap fiction, has gradually extended itself until it is now the favored mode adopted by medical professors, judges of courts, and reverend clergymen, and is even chosen as the proper style for a report by a committee of their Congress.

PHOTOGRAPHS.

Nothing can better illustrate the truth of this view than the "Report No. 67" and its appendages. It is accompanied by eight pictures or photographs, alleged to represent U. S. prisoners of war, returned from Richmond, in a sad state of emaciation and suffering. Concerning these cases, your committee will have other remarks, to be presently submitted. They are only alluded to now to show that this report does really belong to the "sensational" class of literature, and that, "prima facie," it is open to the same criticism to which the yellow-covered novels, the "narratives of noted highwaymen," and the "awful beacons" of the Northern bookstalls should be subjected.

The intent and spirit of this report may be gathered from the following extract:

> The evidence proves, beyond all manner of doubt, a determination on the part of the rebel authorities, deliberately and persistently practiced for a long time past, to subject those of our soldiers who have been so unfortunate as to fall in their hands to a system of treatment which has resulted in reducing many of those who have survived and been permitted to return to us to a condition, both physically and mentally, which no language we can use can adequately describe.—Report, p. [1].

And they give also a letter from Edwin M. Stanton, the Northern Secretary of War, from which the following is an extract:

> The enormity of the crime committed by the rebels toward our prisoners for the last several months is not known or realized by our people, and cannot but fill with horror the civilized world when the facts are fully revealed. There appears to have been a deliberate system of savage and barbarous treatment and starvation, the result of which will be that few (if any) of the prisoners that have been in their hands during the past winter will ever again be in a condition to render any service or even to enjoy life.—Report, p. 4.

And the Sanitary Commission, in their pamphlet, after picturing many scenes of privation and suffering, and bringing many charges of cruelty against the Confederate authorities, declare as follows:

> The conclusion is unavoidable, therefore, that these privations and sufferings have been designedly inflicted by the military and other authorities of the rebel Government, and could not have been due to causes which such authorities could not control.—P. 95.

TRUTH TO BE SOUGHT.

After examining these publications your committee approached the subject with an earnest desire to ascertain the truth. If their investi-

gation should result in ascertaining that these charges (or any of them) were true, the committee desired, as far as might be in their power and as far as they could influence the Congress, to remove the evils complained of and to conform to the most humane spirit of civilization; and if these charges were unfounded and false, they deemed it a sacred duty, without delay, to present to the Confederate Congress and people and to the public eye of the enlightened world, a vindication of their country, and to relieve her authorities from the injurious slanders brought against her by her enemies. With these views we have taken a considerable amount of testimony bearing on the subject. We have sought to obtain witnesses whose position or duties made them familiar with the facts testified to, and whose characters entitled them to full credit. We have not hesitated to examine Northern prisoners of war upon points and experience specially within their knowledge. We now present the testimony taken by us, and submit a report of facts and inferences fairly deducible from the evidence, from the admissions of our enemies, and from public records of undoubted authority.

FACTS AS TO SICK AND WOUNDED PRISONERS.

First in order, your committee will notice the charge, contained both in "Report No. 67" and in the "sanitary" publication, founded on the appearance and condition of the sick prisoners sent from Richmond to Annapolis and Baltimore about the last of April, 1864. These are the men, some of whom form the subjects of the photographs with which the U. S. Congressional committee have adorned their report. The disingenuous attempt is made in both these publications to produce the impression that these sick and emaciated men were fair representatives of the general state of the prisoners held by the South, and that all their prisoners were being rapidly reduced to the same state, by starvation and cruelty, and by neglect, ill-treatment, and denial of proper food, stimulants, and medicines in the Confederate hospitals. Your committee take pleasure in saying that not only is this charge proved to be wholly false, but the evidence ascertains facts as to the Confederate hospitals, in which Northern prisoners of war are treated, highly creditable to the authorities which established them, and to the surgeons and their aids who have so humanely conducted them. The facts are simply these:

The Federal authorities, in violation of the cartel, having for a long time refused exchange of prisoners, finally consented to a partial exchange of the sick and wounded on both sides. Accordingly, a number of such prisoners were sent from the hospitals in Richmond. General directions had been given that none should be sent except those who might be expected to endure the removal and passage with safety to their lives; but in some cases the surgeons were induced to depart from this rule by the entreaties of some officers and men in the last stages of emaciation, suffering not only with excessive debility, but with "nostalgia," or homesickness, whose cases were regarded as desperate, and who could not live if they remained, and might possibly improve if carried home. Thus it happened that some very sick and emaciated men were carried to Annapolis, but their illness was not the result of ill-treatment or neglect. Such cases might be found in any large hospital, North or South. They might even be found in private families, where the sufferer would be surrounded by every comfort that love could bestow. Yet these are the cases which, with hideous violation of decency, the Northern committee have paraded in pictures and photographs. They have taken their own sick and enfeebled soldiers;

have stripped them naked; have exposed them before a daguerreian apparatus; have pictured every shrunken limb and muscle—and all for the purpose, not of relieving their sufferings, but of bringing a false and slanderous charge against the South.

CONFEDERATE SICK AND WOUNDED—THEIR CONDITION WHEN RETURNED.

The evidence is overwhelming that the illness of these prisoners was not the result of ill-treatment or neglect. The testimony of Surgeons Semple and Spence, of Assistant Surgeons Tinsley, Marriott, and Miller, and of the Federal prisoners, E. P. Dalrymple, George Henry Brown, and Freeman B. Teague, ascertains this to the satisfaction of every candid mind. But in refuting this charge your committee are compelled by the evidence to bring a counter-charge against the Northern authorities, which they fear will not be so easily refuted. In exchange, a number of Confederate sick and wounded prisoners have been at various times delivered at Richmond and at Savannah. The mortality among these on the passage and their condition when delivered were so deplorable as to justify the charge that they had been treated with inhuman neglect by the Northern authorities.

Assistant Surgeon Tinsley testifies:

I have seen many of our prisoners returned from the North who were nothing but skin and bones. They were as emaciated as a man could be to retain life, and the photographs (appended to Report No. 67) would not be exaggerated representations of our returned prisoners to whom I thus allude. I saw 250 of our sick brought in on litters from the steamer at Rocketts. Thirteen dead bodies were brought off the steamer the same night. At least thirty died in one night after they were received.

Surgeon Spence testifies:

I was at Savannah and saw rather over 3,000 prisoners received. The list showed that a large number had died on the passage from Baltimore to Savannah. The number sent from the Federal prisons was 3,500, and out of that number they delivered only 3,028, to the best of my recollection. Captain Hatch can give you the exact number. Thus about 472 died on the passage. I was told that 67 dead bodies had been taken from one train of cars between Elmira and Baltimore. After being received at Savannah they had the best attention possible, yet many died in a few days. In carrying out the exchange of disabled, sick, and wounded men, we delivered at Savannah and Charleston about 11,000 Federal prisoners, and their physical condition compared most favorably with those we received in exchange, although of course the worst cases among the Confederates had been removed by death during the passage.

Richard H. Dibrell, a merchant of Richmond and a member of the "Ambulance Committee," whose labors in mitigating the sufferings of the wounded have been acknowledged both by Confederate and Northern men, thus testifies concerning our sick and wounded soldiers at Savannah returned from Northern prisons and hospitals:

I have never seen a set of men in worse condition. They were so enfeebled and emaciated that we lifted them like little children. Many of them were like living skeletons. Indeed, there was one poor boy, about seventeen years old, who presented the most distressing and deplorable appearance I ever saw. He was nothing but skin and bone, and besides this he was literally eaten up with vermin. He died in the hospital in a few days after being removed thither, notwithstanding the kindest treatment and the use of the most judicious nourishment. Our men were in so reduced a condition that on more than one trip up on the short passage of ten miles from the transports to the city as many as five died. The clothing of the privates was in a wretched state of tatters and filth. The mortality on the passage from Maryland was very great as well as that on the passage from the prisons to the port from which they started. I cannot state the exact number, but I think I heard that 3,500 were started, and we only received about 3,027. I have looked at the photographs appended to Report No. 67 of the committee of the Federal Congress, and do not hesitate to declare that several of our men were worse cases of emaciation and sickness than any represented in these photographs.

The testimony of Mr. Dibrell is confirmed by that of Andrew Johnston, also a merchant of Richmond, and a member of the "Ambulance Committee."

Thus it appears that the sick and wounded Federal prisoners at Annapolis, whose condition has been made a subject of outcry and of widespread complaint by the Northern Congress, were not in a worse state than were the Confederate prisoners returned from Northern hospitals and prisons, of which the humanity and superior management are made subjects of special boasting by the U. S. Sanitary Commission.

CONFEDERATE HOSPITALS FOR PRISONERS.

In connection with this subject your committee take pleasure in reporting the facts ascertained by their investigations concerning the Confederate hospitals for sick and wounded Federal prisoners. They have made personal examination, and have taken evidence specially in relation to "Hospital No. 21," in Richmond, because this has been made the subject of distinct charge in the publication last mentioned. It has been shown not only by the evidence of the surgeons and their assistants, but by that of Federal prisoners, that the treatment of the Northern prisoners in these hospitals has been everything that humanity could dictate; that their wards have been well ventilated and clean; their food the best that could be procured for them, and, in fact, that no distinction has been made between their treatment and that of our own sick and wounded men. Moreover, it is proved that it has been the constant practice to supply to the patients out of the hospital funds such articles as milk, butter, eggs, tea, and other delicacies when they were required by the condition of the patient. This is proved by the testimony of E. P. Dalrymple, of New York; George Henry Brown, of Pennsylvania, and Freeman B. Teague, of New Hampshire, whose depositions accompany this report.

CONTRAST.

This humane and considerate usage was not adopted in the U. S. hospital on Johnson's Island, where Confederate sick and wounded officers were treated. Col. J. H. Holman thus testifies:

> The Federal authorities did not furnish to the sick prisoners the nutriment and other articles which were prescribed by their own surgeons. All they would do was to permit the prisoners to buy the nutriment or stimulants needed, and if they had no money they could not get them. I know this, for I was in the hospital sick myself, and I had to buy myself such articles as eggs, milk, flour, chickens, and butter after their doctors had prescribed them. And I know this was generally the case, for we had to get up a fund among ourselves for this purpose to aid those who were not well supplied with money.

This statement is confirmed by the testimony of Actg. Asst. Surg. John J. Miller, who was at Johnson's Island for more than eight months. When it is remembered that such articles as eggs, milk, and butter were very scarce and high-priced in Richmond and plentiful and cheap at the North, the contrast thus presented may well put to shame the Sanitary Commission and dissipate the self-complacency with which they have boasted of the superior humanity in the Northern prisons and hospitals.

CHARGE OF ROBBING PRISONERS.

Your committee now proceed to notice other charges in these publications. It is said that their prisoners were habitually stripped of blankets and other property on being captured. What pillage may

have been committed on the battle-field after the excitement of combat your committee cannot know. But they feel well assured that such pillage was never encouraged by the Confederate generals, and bore no comparison to the wholesale robbery and destitution to which the Federal armies have abandoned themselves in possessing parts of our territory. It is certain that after the prisoners were brought to the Libby and other prisons in Richmond no such pillage was permitted. Only articles which came properly under the head of munitions of war were taken from them.

SHOOTING PRISONERS.

The next charge noticed is that the guards around the Libby Prison were in the habit of recklessly and inhumanly shooting at the prisoners upon the most frivolous pretexts, and that the Confederate officers, so far from forbidding this rather encouraged it, and made it a subject of sportive remark. This charge is wholly false and baseless. The rules and regulations appended to the deposition of Maj. Thomas P. Turner expressly provide, "Nor shall any prisoner be fired upon by a sentinel or other person, except in case of revolt or attempted escape." Five or six cases have occurred in which prisoners have been fired on and killed or hurt; but every case has been made the subject of careful investigation and report, as will appear by the evidence. As a proper comment on this charge, your committee report that the practice of firing on our prisoners by the guards in the Northern prisons appears to have been indulged in to a most brutal and atrocious extent. See the depositions of C. C. Herrington, William F. Gordon, jr., J. B. McCreary, Dr. Thomas P. Holloway, and John P. Fennell. At Fort Delaware a cruel regulation as to the use of the "sinks" was made the pretext for firing on and murdering several of our men and officers, among them Lieutenant-Colonel Jones, who was lame, and was shot down by the sentinel while helpless and feeble and while seeking to explain his condition. Yet this sentinel was not only not punished, but was promoted for his act. At Camp Douglas as many as eighteen of our men are reported to have been shot in a single month. These facts may well produce a conviction in the candid observer that it is the North and not the South that is open to the charge of deliberately and willfully destroying the lives of the prisoners held by her.

MEANS FOR SECURING CLEANLINESS.

The next charge is that the Libby and Belle Isle prisoners were habitually kept in a filthy condition, and that the officers and men confined there were prevented from keeping themselves sufficiently clean to avoid vermin and similar discomforts. The evidence clearly contradicts this charge. It is proved by the depositions of Major Turner, Lieutenant Bossieux, Reverend Doctor McCabe, and others, that the prisons were kept constantly and systematically policed and cleansed; that in the Libby there was an ample supply of water conducted to each floor by the city pipes, and that the prisoners were not only not restricted in its use, but urged to keep themselves clean. At Belle Isle, for a brief season (about three weeks), in consequence of a sudden increase in the number of prisoners, the police was interrupted, but it was soon restored, and ample means for washing both themselves and their clothes were at all times furnished to the prisoners. It is

doubtless true that, notwithstanding these facilities, many of the prisoners were lousy and filthy, but it was the result of their own habits and not of neglect in the discipline or arrangements of the prison. Many of the prisoners were captured and brought in while in this condition. The Federal General Neal Dow well expressed their character and habits. When he came to distribute clothing among them he was met by profane abuse, and he said to the Confederate officer in charge, "You have here the scrapings and rakings of Europe." That such men should be filthy in their habits might be expected.

CHARGE OF WITHHOLDING AND PILLAGING BOXES.

We next notice the charge that the boxes of provisions and clothing sent to the prisoners from the North were not delivered to them, and were habitually robbed and plundered by permission of the Confederate authorities. The evidence satisfies your committee that this charge is in all substantial points untrue. For a period of about one month there was a stoppage in the delivery of boxes, caused by a report that the Federal authorities were forbidding the delivery of similar supplies to our prisoners; but the boxes were put in a warehouse and were afterward delivered. For some time no search was made of boxes from the Sanitary Committee intended for the prisoners' hospitals, but a letter was intercepted advising that money should be sent in these boxes, "as they were never searched," which money was to be used in bribing the guards and thus releasing the prisoners. After this it was deemed necessary to search every box, which necessarily produced some delay. Your committee are satisfied that if these boxes or their contents were robbed the prison officials are not responsible therefor. Beyond doubt robberies were often committed by prisoners themselves, to whom the contents were delivered for distribution to their owners. Notwithstanding all this alleged pillage, the supplies seem to have been sufficient to keep the quarters of the prisoners so well furnished that they frequently presented, in the language of a witness, "the appearance of a large grocery store."

THE FEDERAL COLONEL SANDERSON'S TESTIMONY.

In connection with this point your committee refer to the testimony of a Federal officer, Col. James M. Sanderson, whose letter is annexed to the deposition of Major Turner. He testifies to the full delivery of the clothing and supplies from the North, and to the humanity and kindness of the Confederate officers, especially mentioning Lieutenant Bossieux, commanding on Belle Isle. His letter was addressed to the president of the U. S. Sanitary Commission, and was beyond doubt received by them, having been forwarded by the regular flag of truce. Yet the scrupulous and honest gentlemen composing that commission have not found it convenient for their purposes to insert this letter in their publication. Had they been really searching for the truth this letter would have aided them in finding it.

MINE UNDER THE LIBBY PRISON.

Your committee proceed next to notice the allegation that the Confederate authorities had prepared a mine under the Libby Prison, and placed in it a quantity of gunpowder for the purpose of blowing up the buildings, with their inmates, in case of an attempt to rescue them.

After ascertaining all the facts bearing on this subject your committee believe that what was done under the circumstances will meet a verdict of approval from all whose prejudices do not blind them to the truth. The state of things was unprecedented in history, and must be judged of according to the motives at work and the result accomplished. A large body of Northern raiders, under one Colonel Dahlgren, was approaching Richmond. It was ascertained, by the reports of prisoners captured from them and other evidence, that their design was to enter the city, to set fire to the buildings, public and private, for which purpose turpentine balls in great number had been prepared; to murder the President of the Confederate States and other prominent men; to release the prisoners of war, then numbering 5,000 or 6,000; to put arms into their hands, and to turn over the city to indiscriminate pillage, rape, and slaughter. At the same time a plot was discovered among the prisoners to co-operate in this scheme, and a large number of knives and slung-shots (made by putting stones into woolen stockings) were detected in places of concealment about their quarters. To defeat a plan so diabolical, assuredly the sternest means were justified. If it would have been right to put to death any one prisoner attempting to escape under such circumstances, it seems logically certain that it would have been equally right to put to death any number making such attempt. But in truth the means adopted were those of humanity and prevention rather than of execution. The Confederate authorities felt able to meet and repulse Dahlgren and his raiders if they could prevent the escape of the prisoners.

The real object was to save their lives as well as those of our citizens. The guard force at the prisons was small, and all the local troops in and around Richmond were needed to meet the threatened attack. Had the prisoners escaped, the women and children of the city, as well as their homes, would have been at the mercy of 5,000 outlaws. Humanity required that the most summary measures should be used to deter them from any attempt at escape.

A mine was prepared under the Libby Prison; a sufficient quantity of gunpowder was put into it, and pains were taken to inform the prisoners that any attempt at escape made by them would be effectually defeated. The plan succeeded perfectly. The prisoners were awed and kept quiet. Dahlgren and his party were defeated and scattered. The danger passed away, and in a few weeks the gunpowder was removed. Such are the facts. Your committee do not hesitate to make them known, feeling assured that the conscience of the enlightened world and the great law of self-preservation will justify all that was done by our country and her officers.

CHARGE OF INTENTIONAL STARVATION AND CRUELTY.

We now proceed to notice, under one head, the last and gravest charge made in these publications. They assert that the Northern prisoners in the hands of the Confederate authorities have been starved, frozen, inhumanly punished, often confined in foul and loathsome quarters, deprived of fresh air and exercise, and neglected and maltreated in sickness—and that all this was done upon a deliberate, willful, and long-conceived plan of the Confederate Government and officers, for the purpose of destroying the lives of these prisoners, or of rendering them forever incapable of military service. This charge accuses the Southern Government of a crime so horrible and unnatural that it could never have been made except by those ready to blacken with slander

men whom they have long injured and hated. Your committee feel bound to reply to it calmly but emphatically. They pronounce it false in fact and design; false in the basis on which it assumes to rest, and false in its estimate of the motives which have controlled the Southern authorities.

HUMANE POLICY OF THE CONFEDERATE GOVERNMENT.

At an early period in the present contest the Confederate Government recognized their obligation to treat prisoners of war with humanity and consideration. Before any laws were passed on the subject the Executive Department provided such prisoners as fell into their hands with proper quarters and barracks to shelter them, and with rations the same in quantity and quality as those furnished to the Confederate soldiers who guarded these prisoners. They also showed an earnest wish to mitigate the sad condition of prisoners of war by a system of fair and prompt exchange; and the Confederate Congress co-operated in these humane views. By their act, approved on the 21st day of May, 1861, they provided that—

all prisoners of war taken, whether on land or at sea, during the pending hostilities with the United States shall be transferred by the captors from time to time, and as often as convenient to the Department of War; and it shall be the duty of the Secretary of War, with the approval of the President, to issue such instructions to the Quartermaster-General and his subordinates as shall provide for the safe custody and sustenance of prisoners of war; and the rations furnished prisoners of war shall be the same in quantity and quality as those furnished to enlisted men in the Army of the Confederacy.

Such were the declared purpose and policy of the Confederate Government toward prisoners of war; and amid all the privations and losses to which their enemies have subjected them they have sought to carry them into effect.

RATIONS AND GENERAL TREATMENT.

Our investigations for this preliminary report have been confined chiefly to the rations and treatment of the prisoners of war at the Libby and other prisons in Richmond and on Belle Isle. This we have done because the publications to which we have alluded refer chiefly to them, and because the Report No. 67 of the Northern Congress plainly intimates the belief that the treatment in and around Richmond was worse than it was farther South. That report says:

It will be observed from the testimony that all the witnesses who testify upon that point state that the treatment they received while confined at Columbia, S. C., Dalton, Ga., and other places, was far more humane than that they received at Richmond, where the authorities of the so-called Confederacy were congregated.—Report, p. 3.

The evidence proves that the rations furnished to prisoners of war in Richmond and on Belle Isle have been never less than those furnished to the Confederate soldiers who guarded them, and have at some seasons been larger in quantity and better in quality than those furnished to Confederate troops in the field. This has been because until February, 1864, the Quartermaster's Department furnished the prisoners, and often had provisions or funds when the Commissary Department was not so well provided. Once, and only once, for a few weeks the prisoners were without meat, but a larger quantity of bread and vegetable food was in consequence supplied to them. How often the gallant men composing the Confederate Army have been

without meat, for even longer intervals, your committee do not deem it necessary to say. Not less than sixteen ounces of bread and four ounces of bacon, or six ounces of beef, together with beans and soup, have been furnished per day to the prisoners. During most of the time the quantity of meat furnished to them has been greater than these amounts; and even in times of the greatest scarcity they have received as much as the Southern soldiers who guarded them. The scarcity of meat and of breadstuffs in the South in certain places has been the result of the savage policy of our enemies in burning barns filled with wheat or corn, destroying agricultural implements, and driving off or wantonly butchering hogs and cattle. Yet amid all these privations we have given to their prisoners the rations above mentioned. It is well known that this quantity of food is sufficient to keep in health a man who does not labor hard. All the learned disquisitions of Dr. Ellerslie Wallace on the subject of starvation might have been spared, for they are all founded on a false basis. It will be observed that few (if any) of the witnesses examined by the Sanitary Commission speak with any accuracy of the quantity (in weight) of the food actually furnished to them. Their statements are merely conjectural and comparative, and cannot weigh against the positive testimony of those who superintended the delivery of large quantities of food, cooked and distributed according to a fixed ratio, for the number of men to be fed.

FALSEHOODS PUBLISHED AS TO PRISONERS FREEZING ON BELLE ISLE.

The statements of the Sanitary Commission as to prisoners freezing to death on Belle Isle are absurdly false. According to the statement, it was common, during a cold spell in winter, to see several prisoners frozen to death every morning in the places in which they had slept. This picture, if correct, might well excite our horror; but, unhappily for its sensational power, it is but a clumsy daub, founded on the fancy of the painter. The facts are, that tents were furnished sufficient to shelter all the prisoners; that the Confederate commandant and soldiers on the island were lodged in similar tents; that a fire was furnished in each of them; that the prisoners fared as well as their guards, and that only one of them was ever frozen to death, and he was frozen by the cruelty of his own fellow-prisoners, who thrust him out of the tent in a freezing night because he was infested with vermin. The proof as to the healthiness of the prisoners on Belle Isle and the small amount of mortality is remarkable, and presents a fit comment on the lugubrious pictures drawn by the Sanitary Commission, either from their own fancies or from the fictions put forth by their false witnesses. Lieutenant Bossieux proves that from the establishment of the prison camp on Belle Isle in June, 1862, to the 10th of February, 1865, more than 20,000 prisoners had been at various times there received, and yet that the whole number of deaths during this time was only 164. And this is confirmed by the Federal Colonel Sanderson, who states that the average number of deaths per month on Belle Isle was "from two to five; more frequently the lesser number." The sick were promptly removed from the island to the hospitals in the city.

CHARACTER OF THE NORTHERN WITNESSES.

Doubtless the Sanitary Commission have been to some extent led astray by their own witnesses, whose character has been portrayed by

General Neal Dow, and also by the editor of the New York Times, who in his issue of January 6, 1865, describes the material for recruiting the Federal armies as—

wretched vagabonds, of depraved morals, decrepit in body, without courage, self-respect, or conscience. They are dirty, disorderly, thievish, and incapable.

CRUELTY TO CONFEDERATE PRISONERS AT THE NORTH.

In reviewing the charges of cruelty, harshness, and starvation to prisoners made by the North, your committee have taken testimony as to the treatment of our own officers and soldiers in the hands of the enemy. It gives us no pleasure to be compelled to speak of suffering inflicted upon our gallant men, but the self-laudatory style in which the Sanitary Commission have spoken of their prisons makes it proper that the truth should be presented. Your committee gladly acknowledge that in many cases our prisoners experienced kind and considerate treatment; but we are equally assured that in nearly all the prison stations of the North—at Point Lookout, Fort McHenry, Fort Delaware, Johnson's Island, Elmira, Camp Chase, Camp Douglas, Alton, Camp Morton, the Ohio penitentiary, and the prisons of Saint Louis, Mo.—our men have suffered from insufficient food, and have been subjected to ignominious, cruel, and barbarous practices, of which there is no parallel in anything that has occurred in the South. The witnesses who were at Point Lookout, Fort Delaware, Camp Morton, and Camp Douglas testify that they have often seen our men picking up the scraps and refuse thrown out from the kitchens with which to appease their hunger. Doctor Herrington proves that at Fort Delaware unwholesome bread and water produced diarrhea in numberless cases among our prisoners, and that—

their sufferings were greatly aggravated by the regulation of the camp, which forbade more than twenty men at a time at night to go to the sinks. I have seen as many as 500 men in a row waiting their time. The consequence was that they were obliged to use the places where they were. This produced great want of cleanliness and aggravated the disease.

Our men were compelled to labor in unloading Federal vessels and in putting up buildings for Federal officers, and if they refused were driven to the work with clubs.

The treatment of Brig. Gen. J. H. Morgan and his officers was brutal and ignominious in the extreme. It will be found stated in the depositions of Capt. M. D. Logan, Lieut. W. P. Crow, Lieut. Col. James B. McCreary, and Capt. B. A. Tracy that they were put in the Ohio penitentiary and compelled to submit to the treatment of felons. Their beards were shaved and their hair was cut close to the head. They were confined in convicts' cells and forbidden to speak to each other. For attempts to escape and for other offenses of a very light character they were subjected to the horrible punishment of the dungeon. In midwinter, with the atmosphere many degrees below zero, without blanket or overcoat, they were confined in a cell without fire or light, with a fetid and poisonous air to breathe—and here they were kept until life was nearly extinct. Their condition on coming out was so deplorable as to draw tears from their comrades. The blood was oozing from their hands and faces. The treatment in the Saint Louis prisons was equally barbarous. Capt. William H. Sebring testifies:

Two of us, A. C. Grimes and myself, were carried out into the open air in the prison yard on the 25th of December, 1863, and handcuffed to a post. Here we were kept all night in sleet, snow, and cold. We were relieved in the daytime, but again brought to the post and handcuffed to it in the evening—and thus we were kept all

night until the 2d of January, 1864. I was badly frost-bitten and my health was much impaired. This cruel infliction was done by order of Captain Byrne, commandant of prisons in Saint Louis. He was barbarous and insulting to the last degree.

OUR PRISONERS PUT INTO CAMPS INFECTED WITH SMALLPOX.

But even a greater inhumanity than any we have mentioned was perpetrated upon our prisoners at Camp Douglas and Camp Chase. It is proved by the testimony of Thomas P. Holloway, John P. Fennell, H. H. Barlow, H. C. Barton, C. D. Bracken, and J. S. Barlow that our prisoners in large numbers were put into "condemned camps," where smallpox was prevailing, and speedily contracted this loathsome disease, and that as many as forty new cases often appeared daily among them. Even the Federal officers who guarded them to the camp protested against this unnatural atrocity; yet it was done. The men who contracted the disease were removed to a hospital about a mile off, but the plague was already introduced and continued to prevail. For a period of more than twelve months the disease was constantly in the camp; yet our prisoners during all this time were continually brought to it and subjected to certain infection. Neither do we find evidences of amendment on the part of our enemies, notwithstanding the boasts of the Sanitary Commission. At Nashville prisoners recently captured from General Hood's army, even when sick and wounded, have been cruelly deprived of all nourishment suited to their condition; and other prisoners from the same army have been carried into the infected Camps Douglas and Chase.

Many of the soldiers of General Hood's army were frost-bitten by being kept day and night in an exposed condition before they were put into Camp Douglas. Their sufferings are truthfully depicted in the evidence. At Alton and Camp Morton the same inhuman practice of putting our prisoners into camps infected by smallpox prevailed. It was equivalent to murdering many of them by the torture of a contagious disease. The insufficient rations at Camp Morton forced our men to appease their hunger by pounding up and boiling bones, picking up scraps of meat and cabbage from the hospital slop-tubs, and even eating rats and dogs. The depositions of William Ayres and J. Chambers Brent prove these privations.

BARBAROUS PUNISHMENTS.

The punishments often inflicted on our men for slight offenses have been shameful and barbarous. They have been compelled to ride a plank only four inches wide, called "Morgan's horse;" to sit down with their naked bodies in the snow for ten or fifteen minutes, and have been subjected to the ignominy of stripes from the belts of their guards. The pretext has been used that many of their acts of cruelty have been by way of retaliation. But no evidence has been found to prove such acts on the part of the Confederate authorities. It is remarkable that in the case of Colonel Streight and his officers they were subjected only to the ordinary confinement of prisoners of war. No special punishment was used except for specific offenses, and then the greatest infliction was to confine Colonel Streight for a few weeks in a basement room of the Libby Prison, with a window, a plank floor, a stove, a fire, and plenty of fuel.

We do not deem it necessary to dwell further on these subjects. Enough has been proved to show that great privations and sufferings have been borne by the prisoners on both sides.

WHY HAVE NOT PRISONERS OF WAR BEEN EXCHANGED?

But the question forces itself upon us, Why have these sufferings been so long continued? Why have not the prisoners of war been exchanged, and thus some of the darkest pages of history spared to the world? In the answer to this question must be found the test of responsibility for all the sufferings, sickness, and heart-broken sorrow that have visited more than eighty thousand prisoners within the past two years. On this question your committee can only say that the Confederate authorities have always desired a prompt and fair exchange of prisoners. Even before the establishment of a cartel they urged such exchange, but could never effect it by agreement until the large preponderance of prisoners in our hands made it the interest of the Federal authorities to consent to the cartel of July 22, 1862. The ninth article of that agreement expressly provided that in case any misunderstanding should arise it should not interrupt the release of prisoners on parole, but should be made the subject of friendly explanation. Soon after this cartel was established the policy of the enemy in seducing negro slaves from their masters, arming them and putting white officers over them to lead them against us, gave rise to a few cases in which questions of crime under the internal laws of the Southern States appeared. Whether men who encouraged insurrection and murder could be held entitled to the privileges of prisoners of war under the cartel was a grave question. But these cases were few in number, and ought never to have interrupted the general exchange. We were always ready and anxious to carry out the cartel in its true meaning, and it is certain that the ninth article required that the prisoners on both sides should be released, and that the few cases as to which misunderstanding occurred should be left for final decision. Doubtless if the preponderance of prisoners had continued with us exchanges would have continued. But the fortunes of war threw the larger number into the hands of our enemies. Then they refused further exchanges, and for twenty-two months this policy has continued. Our commissioner of exchange has made constant efforts to renew them. In August, 1864, he consented to a proposition which had been repeatedly made, to exchange officer for officer and man for man, leaving the surplus in captivity. Though this was a departure from the cartel, our anxiety for the exchange induced us to consent. Yet the Federal authorities repudiated their previous offer, and refused even this partial compliance with the cartel. Secretary Stanton, who has unjustly charged the Confederate authorities with inhumanity, is open to the charge of having done all in his power to prevent a fair exchange, and thus to prolong the sufferings of which he speaks; and very recently, in a letter over his signature, Benjamin F. Butler has declared that in April, 1864, the Federal Lieutenant-General Grant forbade him "*to deliver to the rebels a single able-bodied man;*" and moreover, General Butler acknowledges that in answer to Colonel Ould's letter consenting to the exchange, officer for officer and man for man, he wrote a reply,

not diplomatically but obtrusively and demonstratively, *not for the purpose of furthering exchange* of prisoners, but for the purpose of preventing and stopping the exchange, and *furnishing a ground on which we could fairly stand.*

These facts abundantly show that the responsibility of refusing to exchange prisoners of war rests with the Government of the United States and the people who have sustained that Government; and every sigh of captivity, every groan of suffering, every heart broken by hope

deferred among these 80,000 prisoners, will accuse them in the judgment of the just.

With regard to the prison stations at Andersonville, Salisbury, and other places south of Richmond, your committee have not made extended examination, for reasons which have already been stated. We are satisfied that privation, suffering, and mortality, to an extent much to be regretted, did prevail among the prisoners there, but they were not the result of neglect, still less of design, on the part of the Confederate Government. Haste in preparation; crowded quarters, prepared only for a smaller number; want of transportation, and scarcity of food, have all resulted from the pressure of the war and the barbarous manner in which it has been conducted by our enemies. Upon these subjects your committee propose to take further evidence and to report more fully hereafter.

But even now enough is known to vindicate the South, and to furnish an overwhelming answer to all complaints on the part of the United States Government or people that their prisoners were stinted in food or supplies. Their own savage warfare has wrought all the evil. They have blockaded our ports; have excluded from us food, clothing, and medicines; have even declared medicines contraband of war, and have repeatedly destroyed the contents of drug stores and the supplies of private physicians in the country; have ravaged our country, burned our houses, and destroyed growing crops and farming implements. One of their officers (General Sheridan) has boasted in his official report that in the Shenandoah Valley alone he burned 2,000 barns filled with wheat and corn; that he burned all the mills in the whole tract of country, destroyed all the factories of cloth, and killed or drove off every animal, even to the poultry, that could contribute to human sustenance. These desolations have been repeated again and again in different parts of the South. Thousands of our families have been driven from their homes as helpless and destitute refugees. Our enemies have destroyed the railroads and other means of transportation by which food could be supplied from abundant districts to those without it. While thus desolating our country, in violation of the usages of civilized warfare, they have refused to exchange prisoners; have forced us to keep 50,000 of their men in captivity, and yet have attempted to attribute to us the sufferings and privations caused by their own acts. We cannot doubt that in the view of civilization we shall stand acquitted, while they must be condemned.

In concluding this preliminary report we will notice the strange perversity of interpretation which has induced the Sanitary Commission to affix as a motto to their pamphlet the words of the compassionate Redeemer of mankind:

> For I was an hungered, and ye gave me no meat: I was thirsty, and ye gave me no drink: I was a stranger, and ye took me not in: naked, and ye clothed me not: sick, and in prison, and ye visited me not.

We have yet to learn on what principle the Federal mercenaries, sent with arms in their hands to destroy the lives of our people, to waste our land, burn our houses and barns, and drive us from our homes, can be regarded by us as the followers of the meek and lowly Redeemer, so as to claim the benefit of his words. Yet even these mercenaries when taken captive by us have been treated with proper humanity. The cruelties inflicted on our prisoners at the North may well justify us in applying to the Sanitary Commission the stern words of the Divine Teacher:

> Thou hypocrite, first cast out the beam out of thine own eye, and then shalt thou see clearly to cast out the mote out of thy brother's eye.

We believe that there are many thousands of just, honorable, and humane people in the United States upon whom this subject, thus presented, will not be lost; that they will do all they can to mitigate the horrors of war, to complete the exchange of prisoners, now happily in progress, and to prevent the recurrence of such sufferings as have been narrated; and we repeat the words of the Confederate Congress in their manifesto of the 14th of June, 1864:

We commit our cause to the enlightened judgment of the world; to the sober reflections of our adversaries themselves, and to the solemn and righteous arbitrament of Heaven.*

Statement of Robert Ould, agent of exchange, before the [Congressional] committee.

No interruption in the regular delivery of prisoners occurred before Friday, the 24th of February. On that day I carried a number of Federal prisoners to Boulware's Wharf, and had transportation sufficient to bring back 2,000 of our prisoners. I met Colonel Mulford at Boulware's, but received no Confederate prisoners, there being none at Varina, otherwise called Aiken's Landing. He stated that none were coming up the river, and I accordingly agreed to be at Boulware's Wharf on the following day (Saturday, the 25th) with steam-boat transportation for 2,000. I made the necessary arrangements. On proceeding to Rocketts, however, on the morning of the 25th, I was there informed by all the captains of the boats that it was impossible to go down in consequence of the freshet. At my earnest solicitation the captain of the small steamer Townes consented to take the medical officer of my bureau, Surgeon Brock. I instructed him to represent the case to the Federal agent and to the prisoners who, I felt sure, would be at Boulware's, giving them the option of marching to Richmond or returning to Varina and remaining there until the steam-boats could come down. I remained to make arrangements in this sudden emergency for receiving and providing for them. I telegraphed and sent messengers to General Custis Lee, requesting the necessary guard and such facilities of transportation as he could furnish. I also directed the Ambulance Committee to do everything in their power. General Lee furnished the guards and contributed everything he could. The Ambulance Committee were active and faithful in their efforts.

On Sunday (the 26th) the river was still too high for the steam-boats, but the captain of the Allison intimated that there was some chance of his going down the next day. I therefore thought it more expedient to wait until Monday morning. On Sunday night, however, Captain Gifford reported to me that the river was rising again and that he could not go down on Monday. I accordingly telegraphed that night to General Custis Lee, informing him of the facts and requesting him to notify Colonel Mulford that my medical officer would meet him at Boulware's 10.30 a. m. Monday morning to make arrangements for the speedy delivery of our prisoners. Doctor Brock had to wait until 3 p. m. for Colonel Mulford, and arranged for the marching of the men on Tuesday. I instructed Doctor Brock to inform Colonel Mulford that I would come down with the steam-boats, if possible, but if not able to do so I would make every arrangement I could for helping the prisoners to Richmond, if they concluded to attempt the march. The prisoners did so elect, with a full knowledge of the facts, and every possible facility of guards,

*The evidence referred to in this report is not found

transportation, food, and quarters was provided. I remained here to make these provisions, though for most of them neither law, regulation, nor former practice imposed the duty on me. Cooked rations were sent out under the charge of the Ambulance Committee to a point about half way between Richmond and Boulware's Wharf.

The medical officer and the ambulance chairman can inform the committee of all the details of the proceeding, and further what arrangements were made for taking care of those who lagged and of showing them the way to the quarters which were provided.

It is simply impossible, owing to the relative positions of the military lines to the condition of the roads, and the deficiency of transportation, to convey in vehicles even the sick from Varina to Richmond, a distance by way of Boulware's of some fourteen miles. Yet when on the arrival of our prisoners Tuesday evening, I found that there were some 600 or 800 sick and wounded at Varina. So anxious was I to attempt something for their relief that I on the same night directed the impressment of every available vehicle in Richmond and telegraphed to the army lines for all the transportation which could be furnished. By these means I had some hundred wagons, ambulances, and carts near Boulware's on Wednesday morning, in response to my telegraph on Tuesday night.

General Custis Lee sent a message to Colonel Mulford to meet me at Boulware's Wharf at 11 o'clock to arrange for the sick and wounded. That message was sent at 7 a. m. Wednesday, but although I remained with the transportation until 4 p. m., neither Colonel Mulford nor our prisoners appeared. It was perhaps fortunate that such was the fact. Many would have died upon the route, and many more would have stuck in the mud and bogs in broken vehicles.

On Thursday and Friday, at great risk to the steam-boats, I went down the river and during those two days brought and marched up more than 3,000 prisoners, including sick and wounded, being all that were at Varina. Rations were furnished to all, the well were put in a comfortable warehouse in the lower part of the city, and the sick and wounded were conveyed in ambulances to hospital. But for the earnest and hearty aid of the Ambulance Committee I could have done little or nothing. Their assistance in the matter of taking care of our returned prisoners is invaluable. Day and night they have been constant in their labors. I am sorry that some who have received the benefit of their noble exertions seem not to appreciate them.

The Federal steam-boats which bring our prisoners stop at Varina. This point is some four miles from our lines, and the prisoners are either marched or transported to Boulware's Wharf, which is nearly on the dividing line of the opposing armies and about four miles distant from Varina. I have no more power to go to Varina than Lincoln has to come to Richmond, or President Davis has to go to Washington. Yet it seems I am blamed because I was not at Varina when the prisoners arrived or during their stay there. I am further censured for allowing the prisoners to remain two days at Boulware's Landing, when they were not there an hour.

From the foregoing narration and other testimony I trust the following facts will be apparent to the committee, to wit:

That all the prisoners at Varina on Saturday, the 25th, who were able to march had the opportunity to come to Richmond, and did come; that every preparation which the nature of the emergency allowed was made; that all prisoners who reached Varina between Saturday afternoon and Monday night who were able to march had the opportunity to come to Richmond on Tuesday, the 28th, and did come; that

ample arrangements were made for their accommodation and comfort; that an effort would have been made on Sunday morning for the relief of such prisoners as might be at Varina but for the encouragement given by Captain Gifford that we would be able to go down on Monday morning; that on Sunday night such effort was begun by telegraph to General Lee and followed up on Monday morning by sending Doctor Brock to confer with Colonel Mulford; that an arrangement was made on Monday by which the prisoners could come up on Tuesday, and further, that by no possibility could the prisoners have been brought up earlier than Tuesday, because, though my telegraph to General Lee was received by him Sunday night, Doctor Brock could not procure an interview before Monday afternoon at 3 o'clock; that after the delivery on Tuesday, when the state of the river was worse than ever, an earnest but ineffectual effort was made on Wednesday morning to transport by land the sick and wounded; that any such transportation in the present situation of military lines and roads with the means in our power was during the whole time utterly impracticable; that the sick and wounded could only be brought by water; that from Saturday, the 25th of February, to Thursday, the 2d of March, it was impossible to use the steam-boat or other river transportation owing to the freshet, but that in spite of all these difficulties all the arrivals at Varina, both well and sick, more than six thousand in number, reached Richmond during the six days ending March 3.

It is perhaps proper that I should also state that during this whole time I was deprived of the valuable aid of my assistant, Captain Hatch, and of some members of the Ambulance Corps, all of whom were engaged in the delivery of Federal prisoners near Wilmington.

I am happy to inform the committee that I have now made a permanent arrangement by which all the prisoners are to be quartered in the lower part of the town during the first night of their arrival.

In consequence of the conflict about the subject-matter of this paper, I would prefer, if agreeable to the committee, to support this statement by oath.

I beg leave further to state that I was not informed of the arrival of any prisoners at Varina on Saturday, the 25th, until Monday night, and then only by Doctor Brock, and that I did not receive the letter of Col. Baxter Smith until several hours after his arrival in Richmond.

RO. OULD.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Fort Monroe, Va., March 4, 1865.

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to inform you that I have this day arranged and agreed with Hon. R. Ould, agent, &c., for an exchange of the following enumerated deliveries of prisoners, viz: All U. S. officers and men, prisoners of war, delivered at Savannah and Charleston during the months November and December, 1864, and all U. S. officers and men, prisoners of war (not heretofore declared exchanged), who have been delivered in James River, Va., previous to March 10, 1865. Mr. Ould's exchange notice is same as above except the last paragraph, in which he will only include deliveries in James River to March 1, 1865. I insisted upon making this point of difference in time, for the reason that I have since the 1st instant delivered to Mr. Ould some 4,500 prisoners, including about 400 officers, all of whom would be

included were he to anticipate this date, and by extending the time of our notice to the 10th instant we include 1,500 or 2,000 men now ready for delivery to me from Richmond, Va. I am informed by the Confederate authorities that they are progressing finely in their deliveries at Wilmington. At last advices about 9,000 had been delivered, including 900 to 1,000 officers. They also inform me that arrangements have been completed for the delivery of prisoners at Mobile, and it is undoubtedly progressing at this time.

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent of Exchange.

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Eastport, March 4, 1865.

Brig. Gen. W. D. WHIPPLE, *Chief of Staff:*

GENERAL: I have heard nothing from Colonel Watts since my arrival here and nothing from General Forrest. I presume the delay is in consequence of the flood. The river is higher than it has been for many years, and I have no doubt that the Mobile and Ohio Railroad has felt the effects of the constant rains and that the bridges between Rienzi and Verona are washed away, which will prevent the arrival of Colonel Watts as well as our prisoners for several days, and perhaps for weeks. I shall go to Iuka on the 6th if I don't hear from Colonel Watts before then, and if I can learn nothing from him there I shall leave here on the 7th for Nashville, leaving my clerk here to verify the rolls of prisoners in case any should arrive before my return. I shall also make arrangements to send rations to Iuka for any of our prisoners should they arrive there before my return here, as there are comfortable quarters at Iuka for them and there is no place at all for them here. Everything here is under water or floated off. General Wilson is unable to cross his command and cannot move for several days. I think his camp was a bad selection either in view of a defense of Eastport or a movement upon any other point. The only dry land in sight, except the hills, is the little space around Chickasaw, and unless it stops raining that will be covered with water soon.

I sent my report with General Forrest's communication to the general commanding on the night of the 1st instant, but as he—the messenger—was to go via Johnsonville I don't know as he has reached you, as I am informed that railroad is not in running order.

The Government has lost a vast amount of property here, but I don't know as it could have been avoided. Every exertion has been made since my arrival here to save everything from the flood, but all the forage was spoiled from the effects of the wet weather before the flood washed it off.

Respectfully, your obedient servant,

J. G. PARKHURST,
Colonel and Provost-Marshal-General.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, Ala., March 4, 1865.

Maj. Gen. GORDON GRANGER, U. S. Army,
Commanding District of West Florida and South Alabama:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 26th ultimo, transmitted by flag of truce, in

which you state that conclusive information has reached you that prisoners of war captured by the C. S. forces from those of the United States are employed at labor upon the fortifications of Mobile, and informing me that an equal number of prisoners in your hands will be similarly employed by you so long as the policy referred to is adhered to by the authorities in this district. Your communication has been referred to the lieutenant-general commanding this department, and pending its consideration by him I deem it proper to state in reply that 200 negro slaves, who were captured by Major-General Forrest and sent to this district, are engaged in labor upon the fortifications just as other slaves are and have been almost since the commencement of the war employed by both the Governments of the United States and Confederate States. From the statement of these negroes themselves it appears that they were taken away from their homes and their lawful owners by invading parties of U. S. forces, and during the temporary occupancy of portions of C. S. territory placed in the army or employed for other military purposes, and this against their will. These negroes are well fed and provided and generally content in their present situation. They express the utmost reluctance and indisposition to be returned to the dominion of the United States, and restored to involuntary service with their armies, and are earnest in their desire to return to their lawful owners, from whom they were unwillingly taken away. Just compensation will be paid these owners for the services rendered by these slaves; and under all the circumstances it seems to me that no doubt exists that in an equitable and legal point of view the recapture by the C. S. forces of slaves (property recognized as such by our own laws, and at the date of its capture similarly recognized by the Constitution and laws of the United States) operates to restore it to its original position and it reverts to its lawful owners. The employment, then, of white men, prisoners of war, whose social and political character is that of freemen, is not justified by the circumstances, and is neither fair nor in accordance with the established usages of warfare. I trust that a careful consideration of the subject will induce the major-general commanding the Military Division of West Mississippi to revoke the instructions which he has given. While I regret the hardships of the measures which your authorities have adopted in this connection, the justice and propriety of the course of our own authorities are so well established in my mind that I cannot, without instructions from higher authority, interfere with the existing policy and arrangements.

Very respectfully, your obedient servant,

DABNEY H. MAURY,
Major-General, Commanding.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, Ala., March 4, 1865.

Major-General GRANGER,
Commanding U. S. Forces, Fort Gaines, Ala.:

GENERAL: I have the honor to inclose you a copy of a telegram received from Lieut. Gen. R. Taylor, commanding Department of Alabama, Mississippi, and East Louisiana:

MERIDIAN, *March 3, 1865.*

Maj. Gen. D. H. MAURY:

Lieutenant-General Grant, U. S. Army, has proposed to the lieutenant-general commanding a general exchange according to terms of cartel for all prisoners of war in

this department. Upon invitation of Major-General Thomas, have sent Colonel Watts, agent of exchange, to Iuka, Miss., to complete details for the exchange thus proposed. You will send this to Major-General Granger per flag of truce for his information.

By command of Lieutenant-General Taylor:

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

I am, general, very respectfully, your obedient servant,
DABNEY H. MAURY,
Major-General, Commanding.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, Ala., March 1, 1865.

Major-General GRANGER,
Commanding U. S. Forces, Fort Gaines, Ala.:

GENERAL: I have the honor to inform you that I have received orders from the War Department to deliver to the U. S. commander in Mobile Bay 1,500 bales cotton, to be applied toward the relief of the C. S. prisoners of war now in the hands of the U. S. authorities.

Please inform me at what time and place you will receive the above-stated cotton, as it is now ready for delivery.

I am, general, very respectfully, your obedient servant,
DABNEY H. MAURY,
Major-General, Commanding.

SPECIAL ORDERS, No. 53. } ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, March 4, 1865.

* * * * * * *

XXVIII. The following exchange notice is published for the information of the Army:

All Confederate officers and men who were delivered at Savannah or Charleston during the months of November and December last are hereby declared to be exchanged. All Confederate officers and men who were delivered in James River, Va., at any time before the 1st of March, 1865, are hereby declared to be exchanged.

XXIX. All furloughs granted under Special Orders, No. 46, Adjutant and Inspector General's Office, current series, to enlisted men who are above declared exchanged are hereby revoked, and all enlisted men who are exchanged will at once report for duty, those whose commands are beyond the North Carolina line selecting companies temporarily, in accordance with special orders above referred to. Commissioned officers exchanged will report to their respective commands without delay.

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, March 4, 1865.

ROBERT OULD, Esq., *Agent of Exchange:*

SIR: It has come to my knowledge that many of our soldiers who have been held as prisoners of war for short periods have been

returned under the recent arrangement for a general exchange, while others captured eighteen months or two years ago are still retained in prison. Please inform me whether there is not some rule on this subject having reference to the length of imprisonment, or is each side at liberty to select whom it please and forward them for exchange? If there be any regulation the enemy should be required to observe it, as otherwise dissatisfaction will be caused among those of our men retained in prison by what has the appearance of partiality.

Respectfully,

JOHN C. BRECKINRIDGE,
Secretary of War.

[Indorsement.]

MARCH 4, 1865.

Respectfully returned to Honorable Secretary of War.

For more than a year I have been constantly urging the Federal authorities to make their deliveries according to date of capture, promising to observe the same rule on our part. Before the recent deliveries were made, and in view of them, I again earnestly requested that such a rule should govern them. To these applications no answer has been returned. I understand, however, that all recent deliveries from Johnson's Island are the oldest captures, and I understand (though I can get no assurance) that the same rule will be observed there in the future. In other prisons the selections were made from particular States. I shall continue to urge that deliveries shall be made from oldest captures, though I do not think the enemy can be induced to make a distinct agreement.

When I found I could not secure a distinct agreement I directed the delivery of Federal prisoners by the following rules: (1) The sick, wounded, and disabled; (2) those whose time of service had expired; (3) those who had been kind to our people. All who did not come within one or the other of these classes were retained until the late arrangement for the delivery of all. The Confederate officers and soldiers who have been sent were selected by the enemy and not by us, because a selection on our part would be invidious and unjust. Not one of them is a special exchange. If there has been a special exchange the parties specially exchanged can be named. If, as is sometimes charged, these special exchanges are numerous, certainly one instance can be easily produced. I defy one, except such as are instanced in my report. Many people use the phrase "special exchanges" unadvisedly. What they call special exchanges are really deliveries of equivalents, the enemy selecting the parties who are to be sent.

RO. OULD,
Agent of Exchange.

CITY POINT, VA., *March 5, 1865—4.30 p. m.*

Major-General THOMAS, *Nashville, Tenn.:*

Have any of our prisoners been delivered to you at Eastport yet? Orders have gone from Richmond to deliver all to you that are convenient to send out that way. Deliveries to the rebels are all made here.

U. S. GRANT,
Lieutenant-General.

U. S. MILITARY PRISON,
Camp Morton, Indianapolis, Ind., March 5, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending March 4, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—good. State of quarters—good. State of mess houses—have none. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient, being in accordance to orders. Water—sufficient. Sinks—sufficient. Police of grounds—good. Drainage—complete. Police of hospital—thorough. Attendance of sick—good. Hospital diet—first class. General health of prisoners—improving. Vigilance of guard—strict.

Very respectfully, your obedient servant,
J. W. DAVIDSON,
First Lieutenant, Veteran Reserve Corps, Inspecting Officer.

HDQRS. SECOND BRIG., FIRST DIV., 24TH ARMY CORPS,
Wilmington, N. C., March 5, 1865.

Maj. J. A. CAMPBELL, *Assistant Adjutant-General:*

SIR: Having been detailed as special agent to receive Federal prisoners of war by Special Orders, No. 12, dated headquarters Department of North Carolina, Army of the Ohio, Wilmington, N. C., February 25, 1865, and having completed those duties, I have the honor to forward herewith the rolls of those received and to submit the following brief report:

The delivery of prisoners to me commenced on Sunday, February 26, and was closed on Saturday, March 4. In this time prisoners were received as follows: Enlisted men, 7,692; commissioned officers, 992; total, 8,684. Of the enlisted men 120 were colored. These officers and men were as rapidly as possible, after having received rations and medical attention at the field hospital, moved to Wilmington and delivered to the provost-marshal.

I am, major, very respectfully, your obedient servant,
JOSEPH C. ABBOTT,
Brevet Brigadier-General and Special Agent of Exchange.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, Mo., March 5, 1865.

Capt. JOSEPH MCC. BELL,
Asst. Adjt. Gen., Mil. Div. of the Missouri, Saint Louis, Mo.:

CAPTAIN: I have the honor to inform the major-general commanding the Military Division of the Missouri that there are some 250 men in confinement at Alton, Ill., known as the "galvanized Yankees," *i. e.*, men who were taken prisoners by the enemy during the last year, and who, to avoid starvation and death, enlisted in Burke's battalion, of the Confederate Army, and who in the recent raid deserted on the approach of our forces to us. These men have already applied to be sent back to their regiments, but it is not considered safe to send them where they will be in danger of capture by the enemy. There are also 1,000 prisoners of war and conscripts who refuse to be exchanged—claim to be deserters, unwilling conscripts, &c. These men have applied to enlist in our army. I respectfully submit if we had not better organize

a regiment of these men and put them on the plains, where they can be made of use to our Government, relieve our prisons, and I have no doubt in most cases make better men and good soldiers. They are now a burden and expense to us. We cannot exchange them, and if I am authorized I am confident I can form an effective regiment from them by placing old reliable officers over them. I have 3,000 miles of overland mail and telegraph route to guard, and every regiment of infantry that I can put along it will relieve that number of cavalry to use in offensive operations against the Indians, who, I am satisfied, are determined to make aggressive war upon all our overland routes this spring and summer. Many of the "galvanized Yankees" I know were captured in the battle of July 22 before Atlanta, Ga., and have been good, earnest soldiers.

I have the honor to be, captain, very respectfully, your obedient servant,

G. M. DODGE,
Major-General.

HDQRS. DIST. OF WEST FLORIDA AND SOUTH ALABAMA,
Fort Gaines, Ala., March 5, 1865.

Lieut. Col. C. T. CHRISTENSEN,
Asst. Adjt. Gen., Military Division of West Mississippi:

COLONEL: I have the honor to inclose a copy* of my letter to General Maury, commanding at Mobile, in relation to the employment by him of prisoners of war for fatigue, together with copies of his reply thereto and to my letter in regard to forwarding clothing to our prisoners at Cahaba and Meridian. I also inclose a copy† of his letter to the effect that he is directed to turn over to me in Mobile Bay 1,500 bales of cotton. I have the honor to suggest that, in view of the difficulties of transmission and the near prospect of exchange of prisoners, the clothing be not forwarded, and also to ask that I may not be ordered to receive the cotton.

I have the honor to be, very respectfully, your obedient servant,

G. GRANGER,
Major-General, Commanding.

CITY POINT, VA., *March 6, 1865—7.30 p. m.*

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners:

You may now discontinue sending rebel prisoners for exchange, except by the regular flag-of-truce boat, steamer New York.

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 6, 1865.

Brig. Gen. A. SCHOEPF, *Commanding Fort Delaware:*

Please forward Brig. Gen. R. B. Vance for exchange with the next party of prisoners.

W. HOFFMAN,
Commissary-General of Prisoners.

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* Not found.

† See March 4, p. 356.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 6, 1865.

Brigadier-General SCHOEPF, *Commanding Fort Delaware:*

Forward no more prisoners for exchange till further orders. Reply.

W. HOFFMAN,
Commissary-General of Prisoners.

(Same to Cols. B. F. Tracy, Elmira, N. Y.; B. J. Sweet, Camp Douglas, Chicago, Ill.; A. J. Johnson, Rock Island, Ill.; A. A. Stevens, Camp Morton, Indianapolis; Brevet Brigadier-General Richardson, Camp Chase, Ohio.)

WASHINGTON, D. C., *March 6, 1865.*

Col. J. H. BAKER, *Provost-Marshal General, Saint Louis, Mo.:*

COLONEL: Your telegram of the 5th, giving your authority for forwarding prisoners of war for exchange, is received. My telegram of the 18th ultimo, directing you to forward prisoners who were or had been in irons or close confinement, referred only to those against whom some special charges had been made, in consequence of which, or under sentence after trial, they were held in close confinement or in irons. There is nothing upon the roll furnished by you of prisoners forwarded on the 23d ultimo to show that they had been held on a different footing from other prisoners of war, and there was therefore no authority in my telegram of the 18th ultimo which required you to forward them. Captured guerrillas are prisoners of war, unless they are charged with some violation of the rules of war which subjects them to trial by military commission; but as it is at best a lawless organization, all such prisoners when not charged with some special offense will be held as prisoners of war, not to be exchanged without special orders.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

RICHMOND, *March 6, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I have very frequently made complaint heretofore that returned Confederate prisoners are put down on your rolls as officers who are not so in fact. In the latter deliveries that you have made, particularly those from Johnson's Island, the case is so glaring that I am again compelled to call your attention to the matter.

In the Johnson's Island detachment, delivered at Boulware's Wharf on Friday, March 3, the following errors were detected before I left the wharf, the parties themselves protesting that they were not officers, and had so constantly declared to your authorities.

C. M. Franklin, Second Kentucky Cavalry, put down as a lieutenant when he was only a sergeant: John C. Wilcox, Second Kentucky Cavalry, put down as a lieutenant when he was only a private; Frank White, Third Tennessee, put down as a lieutenant when he was only a private; G. W. Offutt, put down as a major when he was a citizen (this fact is within my own personal knowledge, as I have known Mr. Offutt from childhood); George Russell, First Kentucky Cavalry, put down as a lieutenant when he was only a private; R. F. Harrison, put down as a lieutenant when he was only the sergeant-major of the Fourth Kentucky Cavalry; S. H. Taylor, put down as a captain when

he was only a volunteer aide; Lemuel Smith, put down as a lieutenant when he was only a private; N. W. McConnell, put down as a captain when he was only a private; B. T. Merrill, Eleventh Texas Cavalry, put down as a lieutenant when he was only a private; Private Lynn, put down as a captain; Martin B. Calvin, Second Georgia, put down as a lieutenant when he was only a private.

These parties have not only declared verbally to your authorities that they were not officers, but in one instance, that of Sergt. C. M. Franklin, he wrote to Capt. John J. Manor, superintendent of prison rolls at Johnson's Island, protesting that he was not an officer and requesting him to correct the rolls. He also inclosed in his letter to Captain Manor the certificate of three of his officers (then at Johnson's Island) that he was only a sergeant. Captain Manor indorsed on the letter to him as follows: "You cannot be thus changed on our rolls without special order from Commissary-General of Prisoners or Secretary of War," and signed his name to the same. At our next interview I will show you the original papers.

In addition to the persons given above as having been received on the 3d instant, several other like cases from Johnson's Island have been presented as occurring a few days before, to wit: Thomas Grear, Third Texas Cavalry, put down as a lieutenant when he was only a private; H. T. Ewing, put down as a captain when he was only a citizen; Gustavus A. Jarvis, put down as a lieutenant when he was only a private; George P. Simms, put down as a lieutenant when he was only a private.

I have in my possession a list of several hundred persons at Johnson's Island who are on the prison rolls as officers when in fact they are not and were not when captured. If it is desired, I will furnish you with a copy of the list. Each belligerent has ample means to verify it. As I take it for granted that it is not the purpose of the Federal authorities to do injustice in this matter, I trust that prompt measures will be taken for rectifying the past errors and preventing their recurrence in the future.

One of the best tests is the statement of the parties in the presence of the senior officers, or a committee of them, of the prison where they are confined. A man is not apt to declare that he is not an officer if he be one. Please let me have an early answer to this communication.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

NASHVILLE, *March 6, 1865—10.30 a. m.*

Lieut. Gen. U. S. GRANT, *City Point:*

I have an officer at Corinth, Miss., to receive prisoners of war, but none have been delivered to him yet. I will report the moment I hear from him.

G. H. THOMAS,
Major-General.

HDQRS. DEPT. OF ALA., MISS., AND EAST LOUISIANA,
Meridian, March 6, 1865.

Maj. Gen. D. H. MAURY, *Commanding District of the Gulf:*

GENERAL: I have the honor to acknowledge the receipt of the communication addressed to you by Major-General Granger, commanding

U. S. forces in District of West Florida and South Alabama, in which it is announced that, in consequence of information received by Major-General Canby of the employment of captured negroes upon the public works at Mobile, certain Confederate prisoners of war have been assigned to similar labor, under guard, upon the fortifications of the United States.

As was substantially stated in my telegram of the 4th instant upon this subject, negroes captured from the enemy are, under the laws of the Confederate States, considered the property of their respective owners, and are either restored to them, or impressed, under act of Congress (hire being paid their owners for their services), to work for the Government.

I have never been notified of any agreement on the part of the Government of the Confederate States to exchange negroes as prisoners of war. On the contrary, I am informed, in a recent communication from Lieutenant-General Grant, through Major-General Thomas, that a general exchange has been agreed upon under the cartel of 1862, and under this information preparations are now in progress for the early delivery of all prisoners of war held in this department.

You will communicate this fact, and the subject of this letter, to Major-General Granger, together with the expression of my earnest regret at the threatened interruption of measures which promised the speedy alleviation of the sufferings of our many prisoners on both sides.

Very respectfully, general, your obedient servant,

R. TAYLOR,
Lieutenant-General.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, March 6, 1865.

Maj. Gen. GORDON GRANGER, U. S. Army,
Commanding District of West Florida and South Alabama:

GENERAL: Since my letter of the 4th instant I have received a communication from the lieutenant-general commanding this department in connection with yours of the 26th [ultimo], which had been forwarded to him for his consideration and action.

I am instructed to state to you that all the negro slaves working on fortifications of the Confederate States are under the laws of this Government considered the property of their respective owners, are under act of Congress impressed for such purposes, and hire for their services paid to such owners. No information has reached the military authorities of this department of any agreement upon the part of the Confederate States to exchange negroes as prisoners of war; on the contrary, in a recent communication from Lieutenant-General Grant, U. S. Army, to Lieutenant-General Taylor, commanding this department, it is distinctly stated that a general exchange has been agreed upon in accordance with the cartel of 1862.

If you have any instructions or information going to show that the Confederate States Government has agreed to exchange negroes or consider them as prisoners of war, I have the honor to request that you will apprise me of the terms and substance of such instructions or information in order that I may communicate the same to the lieutenant-general commanding for his consideration. In the absence of a distinct and specific agreement for such exchange the lieutenant-general commanding instructs me to state that he must adhere to the

settled policy which has hitherto prevailed on the subject of negro slaves recaptured by our forces.

I am, general, very respectfully, your obedient servant,

D. H. MAURY,
Major-General, Commanding.

T. B. Hanly, member of Congress, forwards list of prisoners represented to be confined in cells in the common jail at Helena, Ark.*

[Indorsement.]

MARCH 6, 1865.

Returned to Honorable Secretary of War.

I brought the within cases to the attention of the Federal authorities nearly six months ago, and again after the recent agreement about the release of all prisoners in close confinement or irons. On the 18th of January last I embraced them in the list which on that day I forwarded as being some of the persons who were so held by the Federal authorities. I know the fact that an order was given by General Grant for their release and delivery, as well as of all others in similar situation. Hoffman, the Federal commissary of prisoners, has, I believe, thrown obstacles in the way of the execution of this order without daring openly to attack it. This fact coming to the notice of General Grant, he repeated the order, and Hoffman is now reluctantly obeying it. I have received many of the persons whose names I forwarded and who were sent under the appellation of "thieves and murderers" by Hoffman. I hope and believe these Helena prisoners will soon arrive. The distance is so great that I have much difficulty in getting evidence that they were kept in confinement after the promulgation of Grant's order. If I can get testimony upon that point I do not think Colonel Hoffman will fare well.

[RO. OULD,
Agent of Exchange.]

CITY POINT, VA., *March 7, 1865.*

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

The enemy are putting all their returned prisoners into the ranks of the Eastern army without regard to the organization to which they belong. As the men returned to us are unfit for duty, I want all of the same class in our hands returned before any well men are sent back.

U. S. GRANT,
Lieutenant-General.

WASHINGTON, *March 7, 1865.*

Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

I hear that you give transportation to released prisoners. It is not authorized.

W. HOFFMAN,
Commissary-General of Prisoners.

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* Original papers not found.

RICHMOND, *March 7, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I beg leave to call your attention to the inclosed list * of Confederate soldiers, who are now and have been for some time in close confinement in cells described by one of the inmates as "dark and damp" at Fort McHenry. These soldiers, as you will perceive by the designation of the commands to which they belong, are regularly enlisted in the Confederate service, and why they are selected for such harsh and cruel treatment I do not know. They have been told that should they be able to establish the fact that they belonged to a regular organized command they would be placed on the same footing as other prisoners of war. They have also been informed by the officials at Fort McHenry that they are so confined and punished by order of General Sheridan. The agreement that we made about officers and men in close confinement or irons has already been faithfully executed on my part. I challenge one instance to the contrary; and yet here, within forty miles of the capital, more than thirty regularly enlisted soldiers are subjected to cruel treatment. I respectfully ask that you will bring the contents of this letter to [the attention of] General Grant, and further inform him that I will present conclusive evidence that there are now in nearly every quarter of the United States, where there are prisoners, Confederate officers and men belonging to regularly organized commands in close confinement, and some in irons.

Respectfully, your obedient servant,

RO. OULD.
Agent of Exchange.

RICHMOND, *March 7, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Capt. Shadrick Harris, of Tennessee, who was formerly in close confinement at Columbia, S. C., was released last week and delivered near Wilmington, as the receipt of Brigadier-General Abbott certifies.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., March 7, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner of Exchange, Washington, D. C.:

GENERAL: In the absence of Major-General Canby I have the honor to forward to you a list † of officers and men, prisoners of war, belonging to commands not within this military division, who were delivered on parole to Brig. Gen. George L. Andrews, commanding at Baton Rouge, La., on the 31st day of December last, to be specially exchanged for officers and men of the rebel Army held here as prisoners of war. The special exchange was authorized by Major-General Canby, and was effected on the 4th instant by the delivery at Mobile, Ala., of full equivalents for those named in the inclosed list. These officers and men should therefore be declared exchanged and returned to duty, but as they belong to various commands serving beyond the limits of this

* Not found. † Omitted.

military division, the order should, I suppose, be issued from the office of the Adjutant-General of the Army.

I am, general, very respectfully, your most obedient servant,

CHARLES C. DWIGHT,

Colonel and Agent for Exchange, Mil. Div. of West Mississippi.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,

New Orleans, La., March 7, 1865.

Rear-Admiral S. P. LEE,

Commanding Mississippi Squadron, U. S. Navy:

ADMIRAL: I have the honor to inform you that the exchange of all the naval prisoners delivered to me at Red River Landing, La., on the 26th of February ultimo has been effected by the delivery of rebel naval prisoners at Mobile on the 4th instant, together with the delivery of the rebel Admiral Buchanan at Richmond about the same time. The officers and men of your squadron so received by us may therefore be declared exchanged and returned to duty.

I am, admiral, very respectfully, your obedient servant,

CHAS. C. DWIGHT,

Colonel and Agent for Exchange, Mil. Div. of West Mississippi.

RICHMOND, VA., *March 7, 1865.*

His Excellency T. H. WATTS, *Montgomery, Ala.:*

DEAR SIR: I have the honor to acknowledge the receipt of your communication per hand of Mr. Lehman, agent of the State of Alabama, in regard to the shipping of cotton for the State, to be used for the benefit of Alabama soldiers then in prisons of the United States. The attention of the Secretary of Treasury was immediately called to the subject of your letter, and I presume ere this Mr. L. has reported to you the results of his attempt to visit the United States. Efforts were made to pass Mr. L. through the lines, but General Grant refused him permission upon the ground that he could only allow the Confederate authorities through the proper commissioner of exchange to transact such business.

In the meantime the Confederate Government had made arrangements to ship 1,000 bales, and conditional arrangements were made to ship 1,500 more for the benefit of the prisoners. Mr. L. was informed that the State of Alabama might take a portion of the cotton, if desired. Obstacles were subsequently placed in the way of this last arrangement by the United States, and the cotton was not shipped. Every facility was afforded the agent that was possible under the circumstances.

Very respectfully and truly, your friend,

JEFF'N DAVIS.

RICHMOND, VA., *March 7, 1865.*

General S. COOPER,

Adjutant and Inspector General, Richmond, Va.:

GENERAL: I have the honor to request that Capt. J. Louis Smith, assistant adjutant-general, be ordered to report to me to inquire into and report upon alleged mismanagement and neglect of duty on the

part of officers charged with moving prisoners of war from Columbia, Florence, and other points to Richmond and to Wilmington. I also request that Captain Smith be allowed to take as clerk Private J. P. Alvey, Second Maryland Regiment, light-duty man, and that the actual expenses of Captain Smith and clerk while on this duty be paid.

Very respectfully, your obedient servant,

W. M. GARDNER,
Brigadier-General.

[First indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
March 11, 1865.

Respectfully referred to Lieut. Gen. R. S. Ewell, commanding, &c.

By order of Adjutant and Inspector General:

JNO. WITHERS,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS DEPARTMENT,
Richmond, March 11, 1865.

Respectfully returned.

This officer can be spared from this department.

R. S. EWELL,
Lieutenant-General.

WAR DEPARTMENT,
Washington, D. C., March 8, 1865—1 p. m.

Major-General THOMAS, *Nashville:*

The Secretary of War directs me to say, in answer to yours of February 28, that you are authorized to determine what persons shall be permitted to take the oath of allegiance under the amnesty proclamation within your command. If improper persons have been permitted to take it, you need not recognize such action, but may remove them beyond your lines.

H. W. HALLECK,
Major-General and Chief of Staff.

CITY POINT, VA., *March 8, 1865.*

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners:

Please have General Trimble sent here for exchange.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS CAMP CHASE, OHIO, *March 8, 1865.*

Bvt. Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington City, D. C.:

GENERAL: Your telegram of the 7th instant in regard to transportation furnished to discharged prisoners of war was received this afternoon, and I must confess surprised me very much. I find, upon

examination of the books in this office, that such has been the practice for more than two years. When I took command of the post it was so well established that I never thought of inquiring whether it was authorized or not. Since the reception of your telegram I have endeavored to discover the origin of the practice. I find, by reference to the letter-book, a letter from H. M. Lazelle, captain, Eighth U. S. Infantry, assistant to Commissary-General of Prisoners, to Col. C. W. B. Allison, Eighty-fifth Ohio Volunteer Infantry, commanding Camp Chase, dated August 12, 1862, in which purports to be an extract from a letter of instructions from you to him: "All prisoners who are discharged under the instructions in my letter of the 1st instant will be furnished with a ticket of transportation by the quartermaster as conveniently near to their homes as can be." Again, I find a letter of yours to Captain Lazelle at Columbus, Ohio, dated August 18, 1862, directing the discharge of certain prisoners, and that they be furnished with transportation to their homes. I fail to find anything in your correspondence conflicting with the foregoing correspondence instructions, and the precedent seems to have been followed for more than two years without being questioned until now. That transportation was being furnished to discharged prisoners must have been known to the Quartermaster's Department during all this time. It would seem that this long-unquestioned practice, fully known by the authorities, together with the letters referred to, might be said to authorize what I have done. With your permission I will add that the practice commends itself to me as humane, and should be continued from motives of sound policy. Few, if any, of these prisoners have any friends in this part of the country, and a majority are without any means when they are discharged. Friendless and without money to procure food or shelter, the temptations to crime would be greatly increased. If sent to some part of the country where they have friends or relatives, the chances are greatly in favor of their leading peaceable and orderly lives. Until further orders I shall regard your telegram as an order to furnish no more transportation to released prisoners.

I have the honor to be, general, very respectfully, your obedient servant,

W. P. RICHARDSON,
Brevet Brigadier-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, March 8, 1865.

Col. J. G. PARKHURST,
Pro. Mar. Gen., Dept. of the Cumberland, Eastport, Miss.:

Your letter of March 4 has been received. You will receive the prisoners and keep them at Iuka until they can be removed, provided you can supply them with provisions at that place. If not, you will be obliged to keep them where they can be supplied. The Forty-fourth Wisconsin Regiment will be ordered from this place to report to you for the purpose of guarding the prisoners to Saint Louis. After their arrival there, such of their numbers as wish furloughs must apply for them in the regular manner.

Very respectfully, yours,

WM. D. WHIPPLE,
Brigadier-General and Chief of Staff.

WAR DEPARTMENT, *March 8, 1865.*

Col. R. OULD, *Commissioner of Exchange:*

What is the exact posture of the agreement with General Grant in regard to release of political and citizen prisoners? He says in a letter to General R. E. Lee that his views on that subject are expressed in a letter of 16th of February, but General Lee is not certain whether that letter was addressed to him or to you.

Respectfully,

JOHN C. BRECKINRIDGE,
Secretary of War.

[Indorsement.]

MARCH 8, 1865.

Respectfully returned to Honorable Secretary of War.

General Grant has written no letter to me on the subject of citizen or political prisoners. I have received a verbal assurance from Colonel Mulford that if we would release all citizen prisoners, at least an equal number of citizen prisoners would be released in return, but that he had tried in vain to persuade the Federal authorities to make any general agreement, either as to all of those now in confinement or those who might be hereafter captured. Judge Campbell informs me that General R. E. Lee forwarded to the War Department some time since a letter from General Grant, complaining of the detention of certain civilians captured at New Creek, W. Va., and proposing the release and exchange of all citizen prisoners held by military authority except those charged as spies or for offenses against the laws of war. Upon that letter Judge Campbell indorsed that—

Instructions were given some days ago to the commissioner of exchange to liberate all the citizen prisoners held by the Confederate States as soon as the exchange of the military prisoners to be delivered near Richmond was completed. The commissioner will be instructed to make an agreement for that purpose with the commissioner of the United States and to proceed with the delivery as soon as practicable. This answer will render a reply to Lieutenant-General Grant's special inquiry concerning the prisoners captured by General Rosser unnecessary.

Accordingly I directed the citizen prisoners at Salisbury and other places to be brought here for delivery and authorized Captain Hatch to deliver some at Wilmington, which has been done. I have directed the listing of all prisoners at Castle Thunder, so as to sift out such as are really prisoners of war. The list is completed to day and the prisoners of war ordered to the Libby. There are not more than forty civilian prisoners (all told) within our custody. I will carry out Judge Campbell's instructions and deliver them all this week (perhaps to-morrow), unless I receive instructions to the contrary.

RO. OULD,
Agent of Exchange.

[MARCH 8–9, 1865.—For Grant to Stanton, Lincoln to Grant, and Grant to Lincoln, relative to discharge of prisoners of war on taking oath of allegiance, see Series I, Vol. XLVI, Part II, pp. 887, 900.]

RICHMOND, *March 9, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: Capt. John B. Castleman, the Confederate officer who was some time since arrested in Indiana, and about whom I wrote to you on the

5th of December last, was in close confinement at Camp Morton some three weeks ago. As I have released and delivered to you every prisoner who has been so confined in the South, including even deserters and those charged with being spies, will you not order the release of Captain Castleman and have him delivered to our authorities?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 9, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: It has been credibly represented to me that Charles W. Meeks, C. S. collector in Tennessee, was captured at Bristol on or about the 15th of December last and taken to Knoxville, where he and his son, William B. Meeks, not yet sixteen years of age, are still confined in jail, the former on a charge of treason for holding the office of collector under the Confederate States Government and the latter on a totally unfounded charge of bushwhacking. I will thank you to take immediate steps for inquiry into this matter, that you may inform me what are the purposes of your authorities.

In view of the course I have pursued in relation to civilian prisoners, will you not have them promptly released?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[First indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., March 14, 1865.

Respectfully referred to Maj. Gen. George H. Thomas, commanding Department of the Cumberland, for report.

By command of Lieutenant-General Grant:

T. S. BOWERS,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., March 25, 1865.

Respectfully referred to Col. J. G. Parkhurst, provost-marshal-general, Department of the Cumberland, for report. This paper to be returned.

By command of Major-General Thomas:

SOUTHARD HOFFMAN,
Assistant Adjutant-General.

[Third indorsement.]

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Nashville, March 26, 1865.

Respectfully referred to Colonel Trowbridge, provost-marshal-general of East Tennessee, for report.

By command of Major-General Thomas:

R. M. GOODWIN,
Captain and Assistant Provost-Marshal-General.

[Fourth indorsement.]

OFFICE PROVOST-MARSHAL-GENERAL OF EAST TENN.,
Knoxville, Tenn., April 5, 1865.

Respectfully returned.

Charles W. Meeks is held for trial for treason by the Federal court. The young man is also in custody. He was sent up to Strawberry Plains February 11, 1865, to be sent through the lines by flag of truce, but by order of General Stoneman the flag was not allowed to proceed and he was returned to this place.

S. T. BRYAN, JR.,
Captain and Acting Provost-Marshal-General of East Tennessee.

[Fifth indorsement.]

OFFICE PROVOST-MARSHAL-GENERAL,
Nashville, April 9, 1865.

Respectfully returned, inviting attention to the indorsement of the acting provost-marshal of East Tennessee, which contains all the information in this office concerning the Meeks.

J. G. PARKHURST,
Colonel and Provost-Marshal-General, Dept. of the Cumberland.

[Sixth indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., April 11, 1865.

Respectfully returned to Col. T. S. Bowers, assistant adjutant-general, headquarters Armies of the United States, with reference to preceding indorsements.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

RICHMOND, *March 9, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Col. John H. Winston, Surg. W. [S.] Wright, Capt. Samuel [L.] Winston, Capt. Griffin Frost, and Capt. William Perry are at Alton Prison, wearing ball and chain. All of these are Confederate officers and were acting under orders when captured. I have several times called your special attention to the cases of Colonel Winston and Doctor Wright without obtaining any response. Why are these officers thus kept in irons in violation of an agreement which has been so faithfully carried out on our part? Why are they not delivered to us in pursuance of that agreement? I hope at least I shall have an answer.

I have now before me a letter written by one of the prisoners at Alton, bearing date February 20, 1865, which states that—

there are confined and held under sentence of military commission and courts-martial at this place 250 soldiers and citizens of the Confederate States.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 9, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I have learned that Messrs. Ramsey, Sperry, and Fox, citizens of Tennessee, are kept chained together and made to parade the streets

of Knoxville. I will thank you to make inquiry into this matter, and if it is found to be true, that you will have them relieved from such ignominious punishment.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

[First indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
City Point, Va., March 17, 1865.

Respectfully referred to Maj. Gen. George H. Thomas, commanding Department of the Cumberland, for report in this case.

By command of Lieutenant-General Grant:

T. S. BOWERS,
Assistant Adjutant-General.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., March 25, 1865.

Respectfully referred to Col. J. G. Parkhurst, provost-marshal-general, Department of the Cumberland, for report. This paper to be returned.

By command of Major-General Thomas:

SOUTHARD HOFFMAN,
Assistant Adjutant-General.

[Third indorsement.]

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Nashville, March 26, 1865.

Respectfully referred to Col. L. S. Trowbridge, provost-marshal-general of East Tennessee, for report.

By command of Major-General Thomas:

R. M. GOODWIN,
Captain and Assistant Provost-Marshal-General.

[Fourth indorsement.]

OFFICE PROVOST-MARSHAL-GENERAL OF EAST TENN.,
Knoxville, Tenn., April 3, 1865.

Respectfully returned with information that the prisoners Ramsey, Sperry, and Fox have never been treated in the manner mentioned. Ramsey and Sperry are here in prison and are as comfortable as prisoners can expect to be. Fox died in hospital February 5, 1865.

S. T. BRYAN, JR.,
Captain and Acting Provost-Marshal-General of East Tennessee.

[Fifth indorsement.]

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Nashville, Tenn., April 10, 1865.

Respectfully returned to Maj. Southard Hoffman, assistant adjutant-general, whose attention is invited to the above indorsement of Captain Bryan, jr.

R. M. GOODWIN,
Captain and Assistant Provost-Marshal-General.

[Sixth indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., April 11, 1865.

Respectfully returned to Lieutenant-General Grant, commanding Armies of the United States, with reference to indorsement of Captain Bryan.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

U. S. SENATE, *March 9, 1865.*

Colonel HOFFMAN, *Commissary-General of Prisoners:*

MY DEAR SIR: Letters from friends in Saint Louis bring to my attention a case which I desire to lay before you for consideration. Major Hutchinson was captured last summer in a fight between Generals Sheridan and Early. He was on General Ransom's [Ramseur's] staff, who was wounded and fell into our hands, dying soon after. Major Hutchinson was treated with every courtesy and paroled by General Sheridan to take charge of the body through to Richmond and there effect his own exchange. On reaching General Grant's lines the parole was disregarded and he was ordered back to Washington, where he was immediately thrown into the Old Capitol Prison, where I believe he now is. In this instance is it not proper that the parole should be recognized, especially now that exchanges have recommenced? And if not paroled, as I believe some officers now are, should not his case call for an immediate exchange? I am sure you will come to sound conclusions when I present the facts to your notice and therefore content myself with so doing.

Yours, with respect,

B. GRATZ BROWN.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 9, 1865.

Surg. J. SIMPSON,
Medical Director, Middle Department, Baltimore, Md.:

SIR: I have the honor to acknowledge the receipt of your communication of the 24th ultimo in reference to the difficulty of messing the rebel sick and wounded prisoners in the West Buildings Hospital separate from the patients belonging to our Army, and I beg to say in reply that, with the approbation of the War Department, you are authorized to direct that where the hospital is occupied, as at present, by a large majority of patients belonging to the Union Army, the issues of rations and the disbursement from the hospital fund may be made as if the patients were all of the Union Army. It is probable that a number of sick and wounded prisoners from Winchester will be left in Baltimore, and if all can be collected in one hospital by themselves it will be the most convenient for the service.

I am, sir, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, and Com. Gen. of Prisoners.

WASHINGTON, *March 9, 1865.*

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army:

GENERAL: I have the honor to inform you that I have been officially notified by Lieut. Col. J. E. Mulford, agent for exchange, that he has arranged with the rebel agent from Richmond for the exchange of the following deliveries of prisoners, viz: All U. S. officers and men, prisoners of war (not heretofore declared exchanged), who were delivered on parole at Savannah and Charleston during the months of November and December, 1864, and all (not heretofore declared exchanged) delivered on parole on the James River, Va., up to the 10th day of March, 1865, inclusive, and I would respectfully request that an order announcing this exchange be issued as early as practicable. I would respectfully suggest that commanders of parole camps be directed to forward exchanged officers and men to their stations with as little delay as practicable. I have inquired of the lieutenant-general commanding whether he desires the exchanged troops armed and equipped before joining their regiments, and I will communicate his reply.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HDQRS. DEPT. NORTH CAROLINA, ARMY OF THE OHIO,
Wilmington, N. C., March 9, 1865.

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: I have the honor to forward herewith by special messenger, for your disposition, the rolls of 8,684 prisoners of war, received at the crossing of Northeast Cape Fear River, on the Goldsborough road, from the rebel agent, in pursuance of directions from Lieutenant-General Grant. I also forward a copy of the report of Bvt. Brig. Gen. Joseph C. Abbott, appointed special agent to receive and receipt for the prisoners.* The prisoners are being forwarded as rapidly as practicable to Annapolis, Md.

I am, general, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General, Commanding.

In the absence of the commanding general:

By J. A. CAMPBELL,
Lieutenant-Colonel and Assistant Adjutant-General.

[First indorsement.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., March 17, 1865.

Respectfully referred to Brevet Brigadier-General Hoffman, Commissary-General of Prisoners, for information. These papers to be returned with the report.

By order of the Secretary of War:

SAML. BRECK,
Assistant Adjutant-General.

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* See Abbott to Campbell, March 5, p. 358.

[Second indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 21, 1865.

Respectfully returned to the Adjutant-General.

The prisoners within referred to have all arrived at Annapolis and the rolls are in this office. No reports of the transaction have been received at this office. Papers are returned as directed.

W. HOFFMAN.
Brt. Brig. Gen., U. S. Army, and Com. Gen. of Prisoners.

HEADQUARTERS DISTRICT OF THE GULF,
Mobile, Ala., March 9, 1865.

Maj. Gen. GORDON GRANGER,
Comdg. Dist. of W. Florida and S. Alabama, Fort Gaines, Ala.:

GENERAL: In obedience to orders I have the honor respectfully to transmit to you copy of the letter of the lieutenant-general commanding this department, under date of the 6th instant,* in connection with the subject of negro laborers employed here, to which I respectfully call your attention.

I remain, general, very respectfully, your obedient servant,
DABNEY H. MAURY,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., March 9, 1865.

Maj. Gen. P. M. B. YOUNG,
Comdg. Confed. Forces in Georgia, S. Carolina, and Florida:

GENERAL: In reply to your letter of the 27th ultimo, suggesting Sister's Ferry, on the Savannah River, as the place for exchanging prisoners, I have the honor to state that all the prisoners of war recently in my possession, except such as expressed a desire to take the oath of allegiance to the United States, have been sent to City Point, Va., for exchange, in compliance with recent orders from Lieutenant-General Grant.

Very respectfully, your obedient servant,
Q. A. GILLMORE,
Major-General, Commanding.

RICHMOND, *March 9, 1865.*

Col. BEN. W. JOHNSON, *Fifteenth Arkansas, Johnson's Island:*

SIR: Your note of February 15 has been received. It is not at our instance that the oldest captures are detained. For more than a year I have been endeavoring to make the Federal authorities agree to the rule that those who have been longest in captivity should be the first sent. I have not been able as yet to succeed, although I learn that the last detachment sent from Johnson's Island were selected on that principle. I sincerely hope that rule will continue. It is the earnest

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*See p. 361.

desire of the Confederate Government. If the Federal authorities refuse to observe so just and proper a rule, I know of no way by which we can compel them to do it. We have never selected the States from which prisoners are to be sent. We are ready to give equivalents for any of our officers or soldiers. I have always strenuously refused to do anything which would put any one or more of our officers in a better position than that occupied by others. I defy any one case to be given in contradiction.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

MARCH 10, 1865.

General HOFFMAN:

After you left me this a. m. I read the letter of Colonel M[ulford]* and thought that the matter might be managed without occupying the time of the Secretary. I went to General Townsend, and after talking the matter over he thought it best to wait long enough to hear of the delivery to us of the 1,500 or 2,000 expected by Colonel M. I told him that you were anxious to be relieved of the care of so many prisoners. He thought a day or two longer would make no material difference. I told him I would communicate with you and let you know his suggestions. I send Mulford's letter. If you think an immediate declaration necessary, please see General Townsend and have the order issued in the terms he and myself agreed upon, leaving the old account unreferred to.

Yours,

E. A. HITCHCOCK.

PROVOST-MARSHAL'S OFFICE,
Fort Columbus, New York Harbor, March 10, 1865.

Brig. Gen. WILLIAM HOFFMAN, U. S. Army,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to report that Major-General Whiting, C. S. Army, prisoner of war at this post, died in hospital at this post this morning.

Very respectfully, your obedient servant,

WM. WEST,
First Lieut. and Brt. Capt., Second U. S. Infty., Provost-Marshal.

HEADQUARTERS FORT WARREN,
Boston Harbor, March 10, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

SIR: There are eleven invalid officers (not generals) well enough for exchange. Major-General Trimble left here for City Point this a. m.

H. A. ALLEN,
Major, Second U. S. Artillery, Commanding Post.

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* See Mulford to Hoffman, March 4, p. 353.

SPECIAL ORDERS, } HDQRS. MIDDLE DEPT., 8TH ARMY CORPS,
No. 60. } *Baltimore, Md., March 10, 1865.*

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2. The provost-marshal Eighth Army Corps is hereby directed to furnish cooked rations to all squads of rebel prisoners arriving in this city en route to be exchanged, or to be sent to prisons in the North, provided they are not already supplied. The cooked rations will be procured by requisition upon the commissary in charge of the Soldiers' Rest in this city, and will be distributed to the prisoners at the most convenient point, either of arrival or departure. The rations will be drawn for at the rate allowed to prisoners as directed in General Orders, No. 1, Office Commissary-General of Prisoners, Washington, D. C., January 13, 1865. Whenever practicable, hot coffee will be included in the ration.

To accomplish this order the provost-marshal will ascertain, if possible, before the arrival of the prisoners whether they are provided with rations; and if not so provided, the proper number of rations will be drawn and sent to the point designated for distribution. The point of arrival is usually where they are most needed.

Whenever prisoners are held over in this city awaiting transportation, cooked rations will be furnished daily, unless they are quartered where they can cook their own rations, in which case the usual issue will be made on provision returns.

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By command of Brevet Brigadier-General Morris, U. S. Army:

SAMUEL B. LAWRENCE,
Assistant Adjutant-General.

U. S. MIL. PRISON, GRATIOT STREET, HOSPITAL DEPT.,
Saint Louis, Mo., March 10, 1865.

Major-General DODGE,
Commanding Department of the Missouri, Saint Louis, Mo.:

SIR: I have the honor to report that during the months of November and December, 1864, and January and February, 1865, we have had 818 sick in the hospital of this prison, and the number of deaths during that period 134, showing the fearful mortality at the rate of nearly 50 per cent. for the year; over 16 per cent. for the four months, and over 4 per cent. per month.

The condition of many of the prisoners, and especially many of the conscripts sent to this prison and captured during Price's raid, was such that many were admitted into the hospital within a short period after their arrival, many of them being mere boys, without sufficient physical development to endure the fatigues and hardships of long and protracted marches, in addition to which the quality and insufficient quantity of their food became fruitful and manifest sources of the establishing of a decided asthenic tendency. The above and still more grave cause of confining and massing a large number of prisoners in quarters insufficiently ventilated and totally inadequate in capacity. In one of the rooms in this prison, with a cubic area of 70,380 feet, including, however, several pillars, bunks, &c., which would reduce the capacity several thousand feet at least, were confined in November over 500 prisoners, affording breathing space to each prisoner less than 140 cubic feet, the maximum space allowed in U. S. Army general hospitals being 1,200 and the minimum 800 cubic feet. As an excuse for this excessive crowding of prisoners at the time, the inability of the

provost-marshal to remove them or find other accommodations was urged as the reason. At this date there are now confined in the same room 154 prisoners, with a breathing space to each of less than 450 feet, being a small proportion more than half the space considered necessary and essential to health. This unnecessary crowding of these prisoners at this time is not the result or for the want of room in the prison, there being another room with a cubic area of 45,488 feet, and in which no prisoners are kept or used for any other purpose. Notwithstanding repeated attention of the prison authorities has been called to this grave and prolific cause of disease, the evil still continues unabated, and consequently no hopes of the decrease of the ratio of deaths.

It will be recollected that among these prisoners undergoing the confinement in these crowded and insufficiently ventilated quarters are many citizen prisoners, against whom the charges pending are of a very trivial character, or perhaps upon investigation by courts-martial no charges at all are sustained.

I have the honor to remain, very respectfully, your obedient servant,

GEO. REX,
Surgeon, U. S. Volunteers, in Charge.

[First indorsement.]

MEDICAL DIRECTOR'S OFFICE, DEPT. OF THE MISSOURI,
Saint Louis, Mo., March 11, 1865.

Respectfully forwarded to the assistant adjutant-general, Department of the Missouri, with the recommendation that an order be given the officer in charge of the Gratiot Street Prison to use all of the available prison rooms, and not to unnecessarily crowd single apartments, especially if the safe-keeping of the inmates should not require this course.

JNO. F. RANDOLPH,
Surgeon, U. S. Army, Medical Director.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Saint Louis, March 14, 1865.

Respectfully referred to the provost-marshal-general, Department of the Missouri, for his action.

By command of Major-General Dodge:

J. F. BENNETT,
Assistant Adjutant-General.

MARCH 10, 1865.

Capt. R. MORROW,
Assistant Adjutant-General, District of East Tennessee:

CAPTAIN: I have the honor to report that on the 1st day of December, 1864, an agreement was made between General Carter and General Vaughn, of which the following is an extract:

I. It is agreed that all Union citizens from East Tennessee who are held by the Confederate authorities shall be, with as little delay as possible, brought to the lines of the U. S. forces in East Tennessee and delivered to the U. S. authorities.

II. All citizens who have been arrested by the U. S. authorities as hostages for the Union men held by the Confederate authorities shall be delivered at the Confederate lines in East Tennessee and released with as little delay as possible.

In accordance with that agreement I forwarded February 9 and 14 all the hostages that have come within my control, seventeen in

number. On the other hand, I am not aware of one single instance in which that agreement has been carried out on the part of the Confederate authorities.

Upon the authority of Major-General Hitchcock, Commissary-General of Prisoners, I notified General Vaughn that a failure on the part of the Confederate authorities to carry out that agreement must be met with retaliation upon general officers now in our hands.

I take this opportunity of reporting the above facts, that the proper steps may be taken to enforce a compliance with that agreement.

I have the honor to be, captain, very respectfully, your obedient servant,

L. S. TROWBRIDGE,
Colonel Tenth Mich. Cav. Vols. and Pro. Mar. Gen. of East Tenn.

HEADQUARTERS MILITARY PRISON, &C.,
Salisbury, N. C., March 10, 1865.

ASSISTANT ADJUTANT-GENERAL:
(Brigadier-General Gardner's Staff.)

CAPTAIN: I have the honor to transmit herewith a report* of the removal of the prisoners of war from Columbia and Charlotte, N. C., to Magnolia, N. C., for exchange.

I should, I feel, be derelict to duty were I in doing this to pass unnoticed the condition of the "Fair Grounds Hospital" at Goldsborough, in which about 360 of the sick prisoners were temporarily placed, and which from neglect, filth, and squalor presented a sight which for misery I have rarely seen equaled. This establishment was nominally in charge of Surgeon Holt, but I was unable to learn that he ever visited it in person. Having no control over the officers in charge, and only learning that such a hospital existed the day prior to that on which the patients were removed from it for exchange, I was unable to apply any corrective to a state of affairs that I felt disgraced our character for humanity.

I am, captain, very respectfully, your obedient servant,

H. FORNO,
Colonel, Provisional Army, C. S.

MERIDIAN, *March 10, 1865.*

Col. N. G. WATTS, *Agent of Exchange, Jackson:*
(Care Brigadier-General Adams, who will send this immediately to Colonel Watts if he is absent.)

Following just received, dated Macon, Ga., 9th:

Captain Rutherford just arrived from Richmond with instructions to deliver the Yankee prisoners in Georgia, Alabama, and Mississippi at Mobile for exchange. Very important to have these prisoners delivered. Is there any reason why they should not be forwarded to Mobile for that purpose? There are here over 5,000.

HOWELL COBB,
Major-General.

Telegraph me immediately what your views and wishes and arrangements are about this, so General Cobb can be answered.

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

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* See Forno to Gardner, March 10, p. 451.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 11, 1865.

Major-General DIX,
Commanding Department of the East, New York:

Please order the prisoners of war at Fort Lafayette to Fort Delaware and the citizen prisoners to Fort Warren. If there is special cause for detaining any of the latter, please do so.

W. HOFFMAN,
Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 11, 1865.

Hon. B. GRATZ BROWN, *U. S. Senator, Washington, D. C.:*

DEAR SIR: Your letter of the 9th instant, in reference to the case of Major Hutchinson, reached me only to-day. It was within the authority of Lieutenant-General Grant to recall the parole granted by General Sheridan to Major Hutchinson, and it having been granted and recalled gives him no claim to any special consideration for parole at a subsequent time. All rebel officers in our hands are now being paroled for exchange as rapidly as practicable, taking first those who have been longest in confinement. Major Hutchinson being among those most recently captured, his release may possibly be delayed some time. Your note in relation to young Shelby reached me only this morning. The War Department does not discharge prisoners of war on taking the oath of allegiance at this time, but those who do not wish to be exchanged will not be sent South. After all have been exchanged who desire it, then the Department will decide in the cases of those that remain.

I am, sir, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

RICHMOND, *March 11, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: Private Miles Dotson, of Perrin's Mississippi regiment, Ferguson's brigade, was captured near Powder Springs, in Georgia, on the 4th of November last. He and three others of his command, taken at the same time, were carried to Camp Douglas. A few weeks afterward he was remanded to Louisville. Major Steele, who arrived here some two weeks ago, left Private Dotson in close confinement at Louisville on the 14th ultimo. He was then held subject to the orders of General Thomas as to the time and place of his execution. The pretext alleged for this course on the part of the Federal military authorities in Kentucky was that Dotson belonged to Perrin's regiment, which was recruited in a neighborhood where three Federal soldiers "had been murdered."

It is not alleged that these Federal soldiers were "murdered" by Dotson, or even by Perrin's command; nor is it suggested that Dotson and Perrin's regiment are not regularly in the Confederate service. I feel confident that it is only necessary to bring this case to your attention to insure the prompt release and delivery of this soldier.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 11, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: Lieut. O. H. Lumpkin, Second Tennessee Cavalry, who was captured in Mississippi in April, 1863, and who was a prisoner at Johnson's Island for twenty months, was taken in handcuffs from the latter place on the 20th ultimo in charge of a detective officer and carried to Washington. He was seen by one of our returned officers at Pittsburg on his way. Lieutenant Lumpkin was unable to ascertain the cause of this proceeding. It is said to have been done in pursuance of special orders from Washington. I will thank you for any information upon this subject. Will you not cause Lieutenant Lumpkin to be delivered to us?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND. *March 11, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

SIR: R. A. Blandford, a Confederate soldier, was captured a short time since in Kentucky while he was acting under written orders from General Lyon. He had those orders on his person when he was captured. He was carried to Lexington in irons and is now held there in close confinement. I will thank you to have him released and delivered to us.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 11, 1865.*

Lieut. Col. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I again bring to your attention the case of the Hon. J. B. Heiskell. He is in close confinement in the penitentiary at Nashville, Tenn. It appears that he is held under the charge of treason against the United States. As we have released all political prisoners, I ask that he be discharged without any further delay. If it be the purpose of your authorities to keep him in prison, I will thank you to inform me why it is done and what it is that so distinguishes him as to make him an exception in the rule you are applying to other political prisoners.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HEADQUARTERS CAMP CHASE,
Near Columbus, Ohio, March 11, 1865.

Bvt. Brig. Gen. W. P. RICHARDSON, *Commanding Post:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending March 11, 1865:

Conduct—good. Cleanliness—fair. Clothing—sufficient. Bedding—good. State of quarters—improved. State of mess-houses—good. State of kitchen—good. Food, quality of—excellent. Food, quantity of—sufficient. Water—good and sufficient. Sinks—in good condition.

Police of grounds—as good as can be this season of rain and mud. Drainage—good. Police of hospital—fair. Attendance of sick—sufficient. Hospital diet—good. General health of prisoners—much improved. Vigilance of guard—unexceptionable.

Remarks and suggestions.—A very large decrease in numbers of sick and deaths since my last is attributable to the fact that those brought here in an almost dying condition have died, and the favorable change to those with enough vitality to be treated are slowly recovering, so that the present health of the prisoners can be said to be very good. The smallpox, which raged for a while so fearfully, through the various instrumentalities, viz, vaccination, with rigid removals and care, has almost disappeared from the prisons.

Very respectfully, your obedient servant,

E. K. ALLEN,
Captain, Eighty-eighth Regt. Ohio Vol. Infty., Inspecting Officer.

[Indorsement.]

The sickness of the prisoners from Hood's army has been fully reported upon and I consider it unnecessary to repeat. During this part of the year the police of the prisons cannot be as perfect as in more favorable weather. I believe it to be as good as possible under the circumstances. There will be between 2,000 and 3,000 men who will refuse to go on exchange. I suggest some more favorable treatment in their case.

Respectfully referred to the Commissary-General of Prisoners.

W. P. RICHARDSON,
Brevet Brigadier-General, Commanding Post.

RICHMOND, *March 11, 1865.*

His Excellency the PRESIDENT:

SIR: I have waited thus long in the hope of being able to state something decisive in the case of Mr. Heiskell. To my frequent written communications in relation to him the Federal authorities have made no reply. In consideration of the fact that he was, in a certain sense, connected with the Government, I was ready to release any civilian whom we had for him, and I so let the U. S. authorities understand. I soon found out that they would not make any such arrangement. When General Grant was approached to know if he would release Mr. Heiskell for John Dent, he replied that he would not—that Dent was a disloyal man, known to him as such, and that he would not do as much for him as he would for any other citizen prisoner. It was hinted to me, however, by those who ought to know that if we would discharge Dent without making that a specific condition for the release of Mr. Heiskell, we would be apt to secure the latter's return. Accordingly, when I was instructed by the War Department to deliver all citizen prisoners, Dent included, I used every means in my power to interest him and his friends in Mr. Heiskell's case, and I am inclined to believe that they will be successful. I am entirely satisfied that the best thing has been done that could be under the circumstances for his release. I shall continue to press his case upon the attention of the Federal authorities, and will be happy to carry out any specific instructions which Your Excellency may give in the matter.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

MERIDIAN, *March 12, 1865.*

Major-General MAURY, *Mobile:*

Do you know whether Confederate Government has agreed to exchange negro prisoners or not? If it has, all captured negroes in Mobile should be sent here at once, unless they can be immediately delivered there and receipted for. Answer by telegraph, and if they are to be sent here a guard will meet and relieve guard you send out with them. Inform Colonel Lockett no more impressed negroes should be sent to Mobile if he already has as many as required there, and that he will inform General Brandon accordingly. If he has more impressed negroes now in Mobile than absolutely necessary during siege he must send them immediately to Oven Bluff. Answer soon as possible, and at same time state whether you succeeded in borrowing any money for lieutenant-general commanding; if so, how much, and when will it be here?

By order Lieutenant-General Taylor:

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

MERIDIAN, *March 12, 1865.*

Major-General COBB, *Macon, Ga.:*

Thomas reported moving from north with Fourth Corps and about 12,000 cavalry. General Maury reports enemy advancing on Mobile with fleet and from Pensacola by land supposed force of 30,000. This makes it necessary the prisoners in Georgia should be sent to some other point for exchange. Can't some point east be substituted for Mobile? If not, can't they be exchanged at Vicksburg? If possible, they should be delivered at some point east. Answer.

R. TAYLOR,
Lieutenant-General.

MERIDIAN, *March 12, 1865.*

Col. N. G. WATTS, *Agent of Exchange:*
(Care Brigadier-General Adams, Jackson, Miss.)

Condition of affairs at Mobile developed since Colonel Surget's answer to you renders it impracticable to send the 5,000 Federal prisoners now in Georgia to that place. They must be delivered either at some point in east or at Vicksburg. Can't you arrange for their delivery at Vicksburg in the event some point east is not agreed upon by authorities of exchange bureau east of here? Answer soon as possible.

By order Lieutenant-General Taylor:

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

CITY POINT, VA., *March 13, 1865—4 p. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Colonel Ould has requested to be informed of any prisoners that may be held in the South, in close confinement or irons, that we may learn of through returned prisoners, and he will have them released at once. Some have already been released where his attention has been called in this way.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *March 13, 1865—1 p. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Under agreement to release all prisoners in close confinement or irons we are getting all of our prisoners of that class. From the number of cases still in irons in the North it seems General Hoffman is not sending forward prisoners of this class according to the agreement. Will you please direct him to send forward those in Alton and at all other points where they are still left back?

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

MARCH 14, 1865.

Respectfully referred to Brevet Brigadier-General Hoffman to carry out General Grant's instructions.

H. W. HALLECK,
Major-General and Chief of Staff.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 13, 1865.

Bvt. Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

GENERAL: Your letter of the 8th instant, reporting the practice of furnishing transportation to discharged prisoners, is received. The special instructions given in the cases referred to were not intended to establish a general system. The issuing of the second order shows that the first one was intended to apply to the particular case, and the wording of the second order confines it to the prisoners referred to. The practice has not been known to this office because the accounts have been presented to the Quartermaster's Department for payment; otherwise it would have been disapproved as soon as noticed. Prisoners are discharged at other stations without being furnished with transportation to their homes, unless it is done by their friends, and it does not seem to be attended with any inconvenience. The demand for labor is very great, and they soon earn the means of supporting themselves.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

RICHMOND, *March 13, 1865.*

To the Honorable COMMITTEE OF THE CONFEDERATE SENATE:

SIRS: During a short conference held on yesterday, at the suggestion of Colonel Ould, between the Honorable Senator Watson, a member of your committee, and myself, the statements which I then made respecting my own treatment and that of other prisoners confined by the Federal authorities at Lexington, Ky., during the past fall and winter, was regarded by Mr. Watson of so much importance that he requested me to state some of the material facts which were presented in that conversation in writing, under the impression, as I learned, that they might be of use as part of a record now being made by the Confederate

Government. In compliance with this suggestion I make this communication, and at the outset I would remark that it is my impression that many of the outrages now perpetrated by the U. S. authorities upon our prisoners have been provoked and incited by false representations made by many of their men confined in Confederate prisons at various times, and in retaliation for what they regard as brutality on the part of the Confederacy. Statements of such a character, published at large in the journals daily circulated over the country and reaching the officials who have charge of the various places where men are confined, cannot fail to produce bad blood and must lead to unkindness, even to brutal treatment, of the poor prisoners whose lives under the most favorable auspices are very miserable; and while I regard retaliation as the only means by which the condition of our captives can be ameliorated, yet the publication to the world at large of many facts which must come to your knowledge would be more than useless, and tend to aggravate the miseries of the poor men whom you are attempting to relieve.

I trust your committee will excuse the above remarks. For certain purposes which it would be irrelevant to state here, with a commission of C. S. colonel in my pocket, I went into Kentucky about the middle of October last. I was accompanied by Col. R. J. Breckinridge and Major Steele. Upon reaching the interior, after passing over a country almost ruined by the marauding parties of both armies, by extraordinary exertions and precautions, we reached the hills of Owen County, on the Kentucky River, all safe. Here we had time to look about us, and had I not seen with my own eyes the attitude occupied by those people I would never have believed that free white men could be reduced so completely and absolutely to the most degrading of all conditions. While outwardly and to the Federal authorities they professed a cordial hatred for all traitors and rebels, paid taxes, furnished money, many of them going so far as to join the Federal Army, for the purpose of saving their property from Yankee confiscation and their persons from Yankee brutalities, to me they professed their cordial sympathy with the South, contributed in many ways to the furtherance of my views, treated me with the utmost kindness and hospitality, and seemed ready and anxious to do everything which might not endanger their lives or jeopardize their property. They were all things to all men. The whole State filled with a once proud people is now wretched and degraded, a living lie.

In the county of Owen, which is almost universally Southern in its proclivities, separating myself from Colonel Breckinridge and Major Steele, who at once commenced recruiting and were very successful in furtherance of my own plans, I put myself in communication with Colonel Jessee, a Confederate officer, who, with a small part of a regiment, had been cut off from General Morgan's command after the fight at Cynthiana during the past summer. He had remained in this and one or two adjoining counties, with his men not held together in compact form, here in the very heart of Kentucky, for many months, almost undisturbed by the Federal troops immediately in his vicinity. From Jessee's representations and from various conversations with many of the people it seemed to me that the State was on the very eve of rebelling against the Federal authorities. This opinion was confirmed by information which I received from several of the most prominent men of the State. I was very careful in the concealment of my plans, so fearful of being captured that, avoiding houses as dangerous, I took up my quarters in the hills and woods, where I was fed and

carried on my business arrangements through certain persons who were apprised of my whereabouts.

In this state of my affairs, with everything very promising before me, I was apprised one night that Colonel Jessee wished to consult me upon some matters of the utmost importance; a courier was waiting to conduct me to his headquarters. I mounted, rode down to the river, where there was a small boat awaiting me, crossed over, leaving my horse tied on the bank of the stream. I spent the remaining portion of the night with Colonel Jessee. Next morning before breakfast we walked down to the river, where I saw my horse still tied. Upon our return to the house (before reaching it, however) I saw a force of Federal cavalry numbering some 150 descending the hill beyond the house and within half a mile. Fortunately Jessee's horses were all saddled, and at once he mounted with his guards of some fifteen men, and being upon splendid animals, escaped without difficulty. I was left, however, my horse being on the other side of the river. I ran into the bushes immediately upon the margin of the river; remained concealed until late in the evening. Just before dark I came out, made a reconnaissance, saw six men in Federal uniform ride up to the house (the only one in the neighborhood with which I was acquainted), dismount, leave a sentinel at the gate, and they were still there as long as I could see. It was night, raining, and very cold; I was hungry; had no blanket or overcoat; I knew no one in the neighborhood, and was afraid to apply to any one for food and shelter lest I might be informed on and captured. I had seen a large hay barn some half a mile distant during the day, and determined to take shelter for the night under its roof. When I reached the barn and was about to enter I heard the stamp of horses within, and believing that they were Yankee cavalry, who were likewise sheltering from the storm, I retreated hastily to some stacks, where, covering myself with the hay, I remained until the early dawn. I then returned, it being yet dark, to my shelter under the river-bank nearer to the house. When it became sufficiently light for me to discover objects at a distance I was astonished to see my horse still standing where I had left him two nights before. I thought it was a trap, that the Yankees had left him there as a bait, and were watching my return to capture me. Of course I did not go near him, but hid in the bushes and kept a sharp lookout. I soon discovered that there was a man not far off on the lookout, but after remaining for some time he left. Two boys then came down to the river; crossed over to my side. I captured one of them and learned that the Yankees had all gone down the river, the last of them having left but a short time before. I went to the house, where I was kindly welcomed and well fed. Mrs. M. was kind enough to send two negroes to swim my horse across the river. When they were in the very act of bringing him down the bank a party of Federals disclosed themselves and carried off horse and negroes. Again believing they would come over, I ran to the bushes and concealed myself all day and part of the night. At night, seeing a signal which had been arranged between Mrs. M. and myself, I went to the house and was most hospitably entertained. On the third morning the same scene was re-enacted, and I spent the day in the bushes exposed to the most tremendous rain I ever saw. This day they treated my kind host with much indignity and destroyed his boat. I came in at night, and concluding that these constant and repeated visits to this particular house were prompted by the knowledge that I was in the vicinity, I determined to go across the river and seek shelter again in the hills and bushes. I walked two miles to a point where there was a

little boat lying opposite, and concealing myself, waited the arrival of some citizen, believing that some one would soon come, now that all the boats except this one had been destroyed. A man soon came along, the boat came over for him; I discovered myself just as they were going off, and by force of arms obtained a passage across.

After leaving the river and in passing along a narrow pathway over the cliff immediately contiguous I encountered a Federal soldier, whom, while attempting to capture me, I shot dead. I reached my place, laid up in the bushes, was well fed, received many letters in reply to those I had written. My work was progressing well, when one night I was lured to his house by a man represented to be entirely reliable, and when asleep in bed was surrounded and captured. I was aware of General Burbridge's bloody order requiring all officers and men caught without their commands to be shot on the spot and not brought in as prisoners. I had many misgivings. I was conducted to the little town of Owenton, and there confined in the court-house under a heavy guard with eighteen other men. We were kept here several days, the major who was in command of the troops being absent in Lexington. When he returned he came into the room where we were all together, and after questioning all the other men he took me into an adjoining room. He stated to me that under the orders he had received from headquarters all of us would be shot the next morning at 9 o'clock. I planned and would have attempted an escape that night—had determined to force the guard—but before the time appointed we were taken and placed in little cells in the county jail, the most loathsome and horrible places I have ever seen. There were eight men in my cell, a little room about eight feet by six. The walls and floor were of cast iron. It was wet and foul, and the only air was admitted through a little grating in the door about the size of a small pane of glass. Here a guard was stationed. After remaining some time in this horrible place—so foul was the air that I became extremely sick—I vomited a great deal. The sentinel at the door discovering my condition reported it to the major, who ordered me to be taken out and carried back to the court-house and there kept under strict guard. I soon recovered. How those poor men who were left in that hole managed to live through the night is a mystery to me. I am sure I should have died had I remained two hours longer.

Next morning a party of men were detailed, as I learned, for the execution. Immediately after breakfast Major Mahoney came round to the room where I was to see, I suppose, if I was well enough to be shot. During the interview which ensued I succeeded in convincing him of the barbarity of the order of General Burbridge and persuading him to take us all to Lexington. One man who had been brought into the town the evening before had been executed. I heard the guns by which he was killed, but I never saw the man. They said he was a guerrilla; the man claimed, as I learned, to be a Confederate soldier. After this the major was kind enough to parole me to the limits of the town. Next morning we all started for Lexington, General Burbridge's headquarters. I was mounted on a horse and rode at will with the command, and had much conversation with the major, who seemed to be a pleasant and humane man. The other prisoners were placed in wagons and brought in under strict guard. When we reached the line between Owen and Franklin Counties the command was halted, sixteen men were detailed, the major dismounted, and I saw him writing an order. The column moved forward and I went with it. After we had proceeded some 200 or 300 yards the major rode up beside me and

remarked that this was a "most horrible war." I asked the reason of his remark, and he told me he had just ordered four of those prisoners in the wagons to be shot at the line of the two counties as an example to all malefactors. My blood ran cold in my veins, and I begged him to spare the men; told him that such acts were evidently inconsistent with his character; that there could be no difficulty if he used the necessary precautions about carrying these men to Lexington, and if this deed of blood had to be committed, were I in his place I would leave it to General Burbridge to carry it through. He concluded to spare the men, sent back an officer to stop the execution, and we moved on.

I wish I could tell you of several scenes which transpired along the road, going to show the complete subjugation of the population and their abject submission, but this narrative is already too long and I must bring it to an end. We reached Frankfort and I was turned loose on parole with instructions to report next morning at the railroad depot. I saw during the night many of my relatives and friends and succeeded in enlisting them in my favor. They were all Union people—at least professed to be so. On the following morning I was placed under a new guard and carried on the train to Lexington, taking leave of Major Mahoney, who had been very kind after he determined not to shoot me. At Lexington we were carried to the office of the provost-marshal, who, after insulting and using the most abusive language to us all, had us committed to the prison. This prison was an old warehouse, in a long room of which were about 120 men of all descriptions—Yankee deserters, men belonging to General Grant's army who had been sent through the lines by the Confederate Government and captured in Kentucky, men who belonged to the guerrilla bands who infest the State, bounty jumpers, disaffected citizens, and Confederate soldiers. There were occasionally during my stay a few negroes introduced in this room, but they never remained long, were treated with greater consideration than the whites, and the same charges which would keep a white man for months would not detain a negro as many days. A more filthy, loathsome, and uncomfortable place could not be well conceived, full of filth and swarming with vermin. The four large windows fronting north and south had scarcely a pane of glass in them. The floor was uneven and full of cracks. There were two large stoves, which were [*sic.*] fully supplied with fuel served very poorly to keep up anything like a comfortable temperature, and which for many days and nights of the severest weather the past winter were not in blast for the want of fuel. Many of the prisoners were wretchedly clothed, some of them almost naked; a large number of them had no blankets, and how they survived some of those bitter cold nights was a matter of astonishment to me. They were required to lie down at 8 o'clock, where they were compelled to remain all night, and I frequently expected when day dawned upon us to see the men frozen to death.

The executions under the bloody order of General Burbridge commenced about this time. One day immediately after my arrival the provost-marshal, Lieutenant Vance, came into the room, and looking over the men picked out fifteen. They were carried downstairs. In a short time five of them returned. They had drawn lots for their lives and escaped; the other ten were taken out and shot. The day after six others were carried out and executed. Three men who were brought in and belonged to Jessee's command, within four hours after their arrival were carried from the prison and hung, and this thing went on until twenty-eight of our number, almost invariably Confederate soldiers,

had fallen victims to this unheard-of barbarity. You may imagine—I cannot describe—the horror and dread which spread among the prisoners at witnessing these scenes. These men were not tried before a military commission or court-martial. They were simply selected by the provost-marshal, as it seemed to me, without any reference to the guilt or innocence of the parties, just as a butcher would go into a slaughter pen and select at his will the beeves or the sheep or the hogs which he might wish to destroy. The thing was very horrible. About one-half the men in the prison were in irons, some of them with handcuffs on their wrists, others with balls and chains on their limbs; many of them chained together two and two. We were fed on ship crackers, cold beef, coffee, and bean soup. Our supplies were in sufficient quantities, and though many of the men complained, so far as food was involved I never suffered. We were guarded a portion of the time by negro troops. They were not obtrusive nor insulting; were extremely vigilant, and I verily think the best garrison troops I have seen during the war. The private soldiers of Indiana regiments, who were nearly all the time upon duty in the prison, were, generally speaking, orderly, well-behaved, well-disciplined men; many of them were even kind to the prisoners. In fact, all the acts of brutality which were perpetrated upon us were invariably attributable to the officers and not to the private soldiers.

In these uncomfortable quarters many of the men fell sick. Measles, mumps, diphtheria, typhoid fever, erysipelas, and pneumonia prevailed to an alarming extent. No man was ever carried to the hospital until he was almost *in extremis*, and many of them died.

After remaining in the room some six weeks we were transferred to another much larger and more comfortable apartment, but the sickness among us was on the increase, and, in addition to the diseases above mentioned, the smallpox made its appearance in our midst. This gave us great uneasiness and a good many were carried off to the hospital. In the late part of January I was taken ill. I suffered greatly for several days. The doctor, who was kind, on the fourth day after my attack pronounced my disease smallpox or varioloid and decided to send me to the pest-house. A horse-cart was driven to the door of the prison and I was placed in it with a poor negro from another prison, and, with the wind blowing fiercely and the snow falling fast, we were carried to a house some three miles in the country, which was used as a hospital for smallpox patients of all kinds. My courage has been tried upon many a battle-field—I have fronted death in a thousand shapes—but never was it so severely tried as when I was conducted into the small room where I was to be treated for this loathsome disease. There were seven patients already in the room, several of them in the last stages of the disease, all of them horribly swollen and wretchedly offensive. My clothes, everything belonging to me except the chains upon my limbs, were taken from me and carried away. I was dressed in some old Federal traps and placed upon a straw mattress on a little iron bedstead. The same evening one of the men in my room died; he was taken out at once to be buried, and I was immediately transferred to his place. There was a large negro on one side of me dreadfully ill, and beyond conception offensive. Next morning another man died. This poor fellow was from my prison, and like me had fetters upon his limbs. After his death men came in, knocked the chains from the stiffening corpse, and he was carried off. Immediately I was changed into his place. Next day another man, one of the negroes, died, and they were about to move me again, but I protested and they desisted. My attack was a slight one, and in ten days

I was back again in my prison quarters. Here, after remaining some time longer, it was announced to me that I was to be sent on for special exchange. My irons were taken off and I was placed upon the cars and sent to Louisville and thence to Fort Monroe.

Such is an imperfect narrative of my capture and confinement.

Very respectfully,

J. D. MORRIS,
Colonel, C. S. Army.

CITY OF RICHMOND, VA., TO WIT:

Col. J. D. Morris, C. S. Army, being by the undersigned duly sworn, made oath that the foregoing statement by him made is true, to the best of his knowledge and belief.

Given under my hand this 18th day of March, 1865.

R. R. HOWISON,
Notary Public, Richmond, Va.

RICHMOND, *March 13, 1865.*

Brig. Gen. W. N. R. BEALL, *New York Hotel, New York City:*

SIR: Your note concerning your nephew, Capt. Beall Hempstead, has been received. As I allowed General Hayes to select any and as many officers as he chose to aid him in the distribution of Federal stores, I take it for granted that the U. S. authorities will extend the same favor to you. Make application to them for your nephew, and I doubt not it will be granted. Several months ago I requested General Grant to allow 1,500 bales of cotton to be shipped from Mobile to you for the benefit of our prisoners. I have as yet received no reply to my letter.

A good number of private boxes have been sent out from here to prisoners. Where the parties to whom they are directed are dead or have left, I think they should be devoted by the distributing committees for the benefit of the prisoners generally at the post, unless an order making a specific disposition has been made by the parties to whom they have been sent. In the latter case the assignees should have them. I have received only one letter from you. Why do you not write?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

Brig. Gen. John C. Vaughn, relative to the exchange of Captain Bowers for Captain Clarke.

[Indorsement.]

MARCH 13, 1865.

Returned to General Echols.

All the Federal officers have been sent North, even to Colonel Fry, who was charged with murders in East Tennessee. Not one Federal officer or soldier able to be sent off now remains. The few that are too sick to be sent now will be forwarded as soon as they convalesce sufficiently to be moved. If, therefore, the Federal authorities are honest in the within offer, why will they not immediately send Captains Clarke and Reynolds? I have brought the cases of these two officers more than once to their notice. We have sent off men who were charged as

deserters, spies, and murderers. Please so notify the Federal authorities in East Tennessee, that these two officers may be immediately released.

[RO. OULD,
Agent of Exchange.]

P. S.—I have also sent off all Federal civilians and Union men. Not one is now held in captivity.

[MARCH 14, 1865.—For order of Secretary of State Seward, relative to disloyal citizens and blockade-runners, see Series I, Vol. XLVII, Part III, p. 53.]

LEXINGTON, KY., *March 14, 1865.*

His Excellency ABRAHAM LINCOLN,
President of the United States, Washington City, D. C.:

SIR: Not many months ago I was a prisoner of war in the hands of the Confederates, and my brother, Robert J. Breckinridge, a colonel in the rebel Army, exerted himself actively, though unsolicited, to effect my exchange and ministered very materially to my personal comfort while I was in confinement. He was recently captured in Kentucky and sent to the Ohio State Penitentiary at Columbus. Concerning his capture or history I will say nothing, but that they who know him best know him to be an honorable and humane officer, and there can be no testimony to the contrary. I write now to ask and urge you with all earnestness to have him put upon the list for exchange. You have the power, you know my desire, and must feel better than I can express what I would say.

Your obedient servant, with respect and some admiration,
JOSEPH C. BRECKINRIDGE.

[First indorsement.]

MARCH 20, 1865.

Respectfully referred by the President to the Honorable the Secretary of War.

JNO. G. NICOLAY,
Private Secretary.

[Second indorsement.]

WAR DEPARTMENT, *March 22, 1865.*

Respectfully referred to the Commissary-General of Prisoners for report.

By order of the Secretary of War:

LOUIS H. PELOUZE,
Assistant Adjutant-General.

[Third indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 28, 1865.

Respectfully referred to Capt. S. E. Jones, provost-marshal at Louisville, Ky., for full report.

By order of Bvt. Brig. Gen. W. Hoffman, Commissary-General of Prisoners:

W. T. HARTZ,
Captain and Assistant Adjutant-General.

[Fourth indorsement.]

OFFICE COMMISSARY OF PRISONERS,
Louisville, Ky., April 1, 1865.

Respectfully returned to the Commissary-General of Prisoners, with the information that Col. R. J. Breckinridge, Provisional Army, Confederate States of America, is held as a prisoner of war, and is so reported in five-days' report of February 28, 1865. He was forwarded to the State prison at Columbus, Ohio, February 27, 1865, by order of the Secretary of War, through Major-General Palmer, commanding Department of Kentucky.

CHAS. B. PRATT,
Captain and Commissary of Prisoners.

[Fifth indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 5, 1865.

Respectfully returned to the Secretary of War.

Attention is invited to the report of Capt. Charles B. Pratt, commanding military prison, Louisville, Ky. Robert J. Breckinridge, colonel in the rebel Army, was captured in Woodford, Ky., February 22, 1865.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

In the absence of the general:

G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

[Sixth indorsement.]

WAR DEPARTMENT, *April 6, 1865.*

Respectfully referred to the commissioner for the exchange of prisoners.

By order of the Secretary of War:

L. H. PELOUZE,
Assistant Adjutant-General.

[Seventh indorsement.]

APRIL 7, 1865.

This application is creditable to the good feeling of the applicant, but the undersigned sees no reason for making this case exceptional in the treatment of it.

E. A. HITCHCOCK,
Major-General of Volunteers.

WASHINGTON, *March 14, 1865.*

Lieutenant-General GRANT:

Please inform me if your telegram of yesterday to the Secretary of War in reference to prisoners in irons applies to citizen prisoners.

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *March 14, 1865.*

General HOFFMAN, *Washington, D. C.:*

My dispatch to the Secretary of War applied to prisoners of war. Continuous reports of men being retained in irons are brought by prisoners going forward for exchange. I made a proposition applying to citizens, but received no reply. There are, I believe, a large number of prisoners in irons at Alton, Ill., who have been sentenced by military commission, who should be released under the agreement made.

U. S. GRANT,
Lieutenant-General.

WASHINGTON, *March 14, 1865.*

Lieutenant-General GRANT:

Repeated orders have been issued directing all rebel prisoners in close confinement or in irons to be forwarded for exchange. It is not known that there are any now so held. Your telegram of the 23d ultimo directs that citizen prisoners awaiting trial or under sentence shall be held till further orders. I write by mail.

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

WASHINGTON, *March 14, 1865.*

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: I have the honor to acknowledge the receipt of your letter of the 27th ultimo, informing me of the delivery into your hands of naval prisoners lately held in Texas to be exchanged for Admiral Buchanan and other prisoners belonging to the rebel Navy. In reply I have the honor to inform you that Admiral Buchanan was, by order of Lieutenant General Grant, forwarded for exchange to City Point on the 18th ultimo, and he is now within the rebel lines.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 14, 1865.

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: Lieutenant-General Grant desires that all citizen prisoners whose homes are within the rebel lines, against whom there are no serious charges, or who are not under sentence and who wish to be exchanged, shall be delivered for this purpose as early as practicable, and I have the honor to request that you will give the necessary orders for the delivery on parole of all such prisoners now in confinement at any station in the Military Division of West Mississippi, and please direct that after they are forwarded rolls be sent to this office of all who remain in confinement, with the charges under which they are held.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 14, 1865.

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: Lieutenant-General Grant directs that all rebel prisoners in close confinement or in irons be forwarded for special exchange for the same class of prisoners held in the South, and I respectfully request you will give the necessary orders to have all such prisoners now held at any of the stations within the Military Division of West Mississippi exchanged accordingly. Please direct that a history of each case be sent with the roll to this office. The provost-marshal at Saint Louis has been directed to forward all prisoners of the class named in Saint Louis to City Point for exchange.

I am, general, very respectfully, your obedient servant,
W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

CITY POINT, VA., *March 14, 1865.*

General ROBERT E. LEE, *Commanding C. S. Army:*

Inclosed I send you copy of statement* made by Lieut. G. W. Fitch, Twelfth U. S. Colored Troops, whose murder was attempted after his capture, and whose companions, who were captured at the same time, were murdered. It is not my desire to retaliate for acts which I must believe are unauthorized by commanders of troops in arms against the authority of the United States, but I would ask to have those barbarous practices prohibited as far as they can be controlled.

Soon after the organization of the first colored troops received into the Army of the United States a little skirmish took place between some of these troops and Confederate forces at Milliken's Bend, La., in which there were captures on both sides. Information subsequently received, and which I believe reliable, convinced me that all the white officers captured were put to death. Although I have no reason for believing this course has been persistently followed toward the officers of colored troops since that time, yet I believe it has been the practice with many officers and men in the Confederate Army to kill all such officers as may fall into their hands.

U. S. GRANT,
Lieutenant-General.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I beg leave to call your attention to the case of captured nurses. As I understand it, those who are not enlisted men, like surgeons, are unconditionally released. That rule, however, does not provide for the case of enlisted men who are detailed, either temporarily or permanently, to attend to sick and wounded. Unless such have the assurance that they will be speedily released, they will not run the risk of capture, and will be apt to leave their sick and wounded comrades to such attention as may be given to them by the captors.

I propose, therefore, that where enlisted men detailed as nurses are captured they be considered as a preferred class, entitled to a speedy

* See p. 19.

delivery. Of course, they are to be computed as soldiers and credit given for them as such.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 11, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Surgeon Wootton, Thirty-fifth Battalion Virginia Cavalry, who has recently returned from Fort McHenry, reports from his own personal knowledge that Capt. C. A. Marshall, of his command, is confined in a dungeon night and day at that place. He also confirms the statement which I made to you a few days ago about the Confederate soldiers kept in close confinement there, adding to the list the names of eleven others. I hope that immediate measures will be taken for the delivery of all these parties.

I will thank you to let me know at an early date what your authorities propose to do in this matter.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 11, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: As you will perceive by the rolls, I have delivered to you all parties who have been captured on the high seas or the rivers leading to the same—in fact, all who have been captured upon the water, whether they were engaged in private commerce or under contract with the United States Government.

I therefore request that all prisoners in similar position captured by your land or naval forces be released and delivered to us. Those that are recognized under the cartel as proper subjects of exchange will be computed according to the provisions of that instrument and equivalents be given and received. You can regard the others as civilians, or, if you prefer it, make any other regulation touching them which is just and fair.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 11, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I have now delivered to you every civilian or political prisoner who heretofore has been confined in our prisons. Many of them were charged as being spies, with many corroborating circumstances to support the allegation. In spite of that, however, they were released, and not one now remains in our custody. You will perceive that I have gone further than General Grant in his letter to General R. E. Lee proposed to go, and have not excepted those who were upon trial as spies or were held under grave and serious charges.

I ask, therefore, that the United States Government will pursue a similar course and deliver to us the civilians and political prisoners that have been confined in your prisons.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Private William R. Coyner, Company F, Seventh Virginia Cavalry, is now held at Fort Delaware as a political prisoner. He is regularly in our service and will be fully credited as such. Please at least have him placed in the category of a prisoner of war.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Capt. John M. Muse, First Missouri Regiment, a Confederate officer, is now at Alton under a sentence of hard labor during the war. Captain Muse when captured was in full Confederate uniform, with the military orders under which he was acting on his person. He was tried for a violation of the laws and customs of war, yet the lieutenant who was captured with him was treated as a prisoner of war. When captured he was collecting Confederate soldiers who had been declared exchanged, and was south of military posts at that time held by Confederate forces. There is not a shadow of doubt as to the truth of these facts. I request, therefore, that Captain Muse be surrendered under our agreement.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: It has been reported to the Confederate authorities that Private A. C. Grimes, First Missouri Cavalry, was executed at Saint Louis in the month of January last. Private Grimes was tried a long time ago by a military commission, but it seems the proceedings were disapproved by the commanding general of the department. Why, after the lapse of many months and after the disapproval of the sentence, he was put to death I cannot conceive. Will you please make inquiry into this matter and let me know the facts?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Some time ago you released and delivered under our agreement three inmates from the Albany penitentiary. I understand there is another Confederate soldier in said penitentiary who stood in precisely the same situation as the three you have delivered. His name is Hammond Claude, a private in Company C, First Maryland Cavalry. He was tried as a spy and acquitted, but was sent to the Albany penitentiary. Such was the case of the three parties (Embert, Lyon, and Hearn) whom you have delivered. Why is a distinction made between

them and Claude? Will you not deliver him in compliance with our agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Private A. A. Williams, Company C, First Maryland Cavalry, has been sent to Fort Warren for the war. He was tried as a spy and acquitted. I understand he is in close confinement. Will you not deliver him under our agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HDQRS. DIST. OF WEST FLORIDA AND SOUTH ALABAMA,
Fort Gaines, Ala., March 14, 1865.

Maj. Gen. D. H. MAURY, C. S. Army,
Commanding District of the Gulf, Mobile, Ala.:

GENERAL: I have the honor to acknowledge receipt of your letter of the 9th instant, inclosing copy of communication to you from Lieut. Gen. R. Taylor, C. S. Army, touching the treatment of soldiers of our army of African descent who are prisoners in your hands. I can assure you of my gratification at the statement of Lieutenant-General Taylor that, upon information that a general exchange had been agreed upon under the cartel of 1862, he had commenced preparations for the early delivery of all prisoners of war held in his department. The fact of the cartel of 1862 recognizing no distinction of color or former condition, and the recent action of your authorities in calling men of African descent into your armies, give flattering promises of a quick and proper solution of the question of treatment of colored men captured while in our service.

Instructions have reached me from Major-General Canby, commanding the Military Division of West Mississippi, to inform you that Lieutenant-General Grant, commanding Armies of the United States, has given him orders to receive at the military posts on the Mississippi River and in Mobile Bay, for exchange under the recent agreement, all officers and men of our Army, whether white or black, whom you have captured and now hold.

Permit me, general, to assure you that there is no intention on our part to hinder the operation of the humane arrangement for exchange of prisoners which the Government of the United States has so long desired and striven for.

Respectfully, your obedient servant,

G. GRANGER,
Major-General, Commanding.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT FOR EXCHANGE,
New Orleans, La., March 14, 1865.

Maj. Gen. E. A. HITCHCOCK, *Commissioner of Exchange:*

GENERAL: In the absence of Major-General Canby in the field I have the honor to state that of the prisoners of war who were ordered

to be sent to this city for exchange by extract VIII, IX, and X, of Special Orders, No. 49, Office of Commissary-General of Prisoners, Washington, D. C., December 30, 1864, and which orders were apparently intended to cover all the prisoners in Northern stations captured at Helena, Ark., July 4, 1863, those captured by the forces of Major-General Steele in Department of Arkansas prior to July 28, 1864, and those remaining of the Fort Butler capture of June 23, 1863, only the following have been received here:

On the 19th day of January last there arrived here from Johnson's Island, Ohio, 169 commissioned officers, of whom 56 were of the Helena capture and the remainder, 113, captured at various points in the Department of Arkansas.

On the 29th day of January arrived from Rock Island, Ill., 275 enlisted men, of whom only 4 privates were captured at Helena, the remainder at other points in Arkansas.

On the 13th of March (yesterday) arrived from Johnson's Island, Ohio, 16 commissioned officers, of whom 8 were captured at various points in Arkansas, the remaining 8 being those officers captured at Fort Butler, Donaldsonville, La., in June, 1863. There must therefore be still remaining at the North nearly the whole number of the enlisted men who were captured at Helena, Ark., July 4, 1863. This whole number was understood to be originally about 800.

I have also a list of rebel prisoners, enlisted men, numbering 226, who were held by Major-General Steele at Little Rock, Ark., on the 15th day of July, 1864, and were subsequently sent to some Northern station, none of whose names appear on the lists of those thus far sent hither to be exchanged. Adding this number to the supposed number of the enlisted men of the Helena capture, and there must still remain at some Northern station at least 1,000 prisoners, whose exchange has been agreed upon with the rebel authorities in the Trans-Mississippi Department, and whom it was the intention of the Commissary-General of Prisoners to send to us to be exchanged.

All the prisoners thus far sent to us from the North have already been delivered with the exception of the 16 officers who arrived yesterday, and the balance of deliveries is now against us to the extent of the equivalent for 480 privates. There are also now remaining in Texas about 1,400 Union prisoners whose exchange may be effected at any time when we may have equivalent to deliver for them.

We have been in daily expectation of the arrival here of the Helena and other Arkansas prisoners whose transfer to this city was understood to be contemplated in the orders above mentioned of the Commissary-General of Prisoners, but as nothing has to this time been heard of them, it seems probable their detention at the North is due to some error or oversight.

I beg also to call your attention to the fact that the captures of the rebel generals Marmaduke and Cabell and their commands were made in the Trans-Mississippi Department, and to inquire whether a sufficient number of these prisoners may not be forwarded to us with those of the Helena capture, &c., to enable us to cancel the indebtedness now existing against us and to exchange for all our remaining prisoners in Texas.

I am, general, very respectfully, your obedient servant,

CHAS. C. DWIGHT,

Colonel and Agent for Exchange, Mil. Div. of West Mississippi.

RICHMOND, VA., *March 11, 1865.*

The HOUSE OF REPRESENTATIVES:

In response to your resolution of the 2d instant I herewith transmit for your information communications from the Secretary of the Navy and the Commissioner for the Exchange of Prisoners relative to the trial and execution of John Y. Beall, acting master in the C. S. Navy, by the authorities of the United States.

JEFF'N DAVIS.

[Inclosure No. 1.]

CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT,
Richmond, March 4, 1865.

The PRESIDENT:

SIR: I have the honor to state in response to the following resolution of the House of Representatives, referred by you to this Department—

Resolved, That the President be respectfully requested to communicate to this House any information he may have with regard to the execution of John Y. Beall, of Jefferson County, Va., by the authorities of the Federal Government; and whether any and what action has been taken by this Government upon the subject.

—that the only information I have with regard to the execution of John Y. Beall is derived from the Federal newspapers, whose accounts of the event were copied by the Richmond papers of the 27th ultimo.

Triplicate copies of Mr. Beall's appointment as an acting master in the Navy were furnished to the Department of State, upon the request of the Secretary of State, so soon as his arrest was known here, and another copy was sent by me to the Hon. Jacob Thompson in Canada.

The printed slip herewith, from the Federal newspapers, purporting to give the details of the arrest, trial, and conviction of Mr. Beall, is inclosed for further information.

I am, respectfully, your obedient servant,

S. R. MALLORY,
Secretary of the Navy.

[Sub-inclosure.]

Extract from a Federal newspaper.

The following extract from the order of General Dix approving the findings and sentences of the court gives a succinct account of his attempt on the Northern frontier:

The testimony shows that the accused, while holding a commission from the authorities at Richmond as acting master in the Navy of the insurgent States, embarked at Sandwich, Canada, on board the Philo Parsons, an unarmed steamer, while on one of her regular trips, carrying passengers and freight from Detroit, in the State of Michigan, to Sandusky, in the State of Ohio. The captain had been induced by Burley, one of the confederates of the accused, to land at Sandwich, which was not one of the regular stopping places of the steamer, for the purpose of receiving them. Here the accused and two others took passage. At Malden, another Canadian port and one of the regular stopping places, about twenty-five more came on board. The accused was in citizen's dress, showing no insignia of his rank or profession, embarking as an ordinary passenger, and representing himself to be on a pleasure trip to Kelley's Island, in Lake Erie, within the jurisdiction of the State of Ohio. After eight hours he and his associates,

arming themselves with revolvers and handaxes brought surreptitiously on board, rose on the crew, took possession of the steamer, threw overboard part of the freight, and robbed the clerk of the money in his charge, putting all on board under duress. Later in the evening he and his party took possession of another unarmed steamer, the Island Queen, scuttled her, and set her adrift on the lake. These transactions occurred within the jurisdiction of the State of Ohio on the 19th day of September, 1864. On the 16th day of December, 1864, the accused was arrested near the Suspension Bridge over the Niagara River, within the State of New York. The testimony shows that he and two officers of the insurgent States, Colonel Martin and Lieutenant Headley, with two other Confederates, had made an unsuccessful attempt, under the direction of the first-named officer, to throw the passenger train coming from the west to Buffalo off the railroad track, for the purpose of robbing the express company. It is further shown that this was the third attempt in which the accused was concerned to accomplish the same object; that between two of these attempts the party, including the accused, went to Canada and returned, and that they were on their way back to Canada on Lake Erie; the accused, though holding a commission from the insurgent authorities at Richmond, in disguise, procuring information with the intention of using it, as he subsequently did, to inflict injury upon unarmed citizens of the United States and their private property.

ARREST.

Beall was arrested through information received on the Canadian border by John S. Young, chief of the Metropolitan Detective Police. Mr. Young also received at the same time information concerning one of the principal witnesses against the pirate, and the party being brought to New York, fully identified Beall by picking him out of a crowd in one of the rooms at police headquarters. The recognition by this witness was complete, he having instantly stepped up to Beall and called him by name, much to the discomposure of the rebel captain. After this identification the prisoner was confined in one of the cells at police headquarters, but having attempted to corrupt one of the turnkeys by offering him $3,000 in gold for a chance to escape, it was considered better to send him to Fort Lafayette.

TRIAL.

The military commission which tried him was convened on board the steamer Henry Burden while she was conveying the pirate to the fort, but as he desired a week's delay to procure counsel and prepare for his trial, it was granted him.

He received the professional services of James T. Brady, esq., and his trial was commenced on the 10th of February upon the following charges and specifications:*

After a careful hearing the prisoner was found guilty of all the specifications, except of the third in the second charge and guilty of both charges. The court sentenced him to be hung, and General Dix approved the sentence, directing that it be carried into execution at Governor's Island on Saturday, the 18th of February.†

* Omitted here. For charges, specifications, and plea, see p. 279.

† Reprieved until the 24th of February.

[Inclosure No. 2.]

RICHMOND, *March 11, 1865.*

His Excellency the PRESIDENT:

SIR: In the matter of the accompanying resolution of the House of Representatives I have the honor to submit the following report:

The case of Actg. Master John Y. Beall was never brought to the attention of this office by any communication, verbal or written, prior to his execution. The proceedings of the military commission which tried him were not published in the Northern papers until the 15th of February. The day for his execution had been fixed for the 18th of the same month, as if for the purpose of making any efforts in his behalf by his Government impossible. He was reprieved from the 18th to the 24th, though it seems to have been quietly, if not secretly, done. For some days after the 24th it was not known here whether or not he had been executed. On the 27th of February I received a letter from him, of which the following is a copy, which was forwarded by order of General Dix after the unfortunate man had been put to death:

FORT COLUMBUS, *February 21, 1865.*

Col. R. OULD, *Commissioner of Exchange, Richmond, Va.:*

SIR: The proceedings of a military commission in my case published in the New York papers of the 15th instant made you and my Government aware of my sentence and doom. A reprieve, on account of some informality, from the 18th to the 24th was granted. The authorities are possessed of the facts in my case. They know that I acted under orders. I appeal to my Government to use its utmost efforts to protect me, and if unable to prevent my murder, to vindicate my reputation. I can only declare that I was no "spy" or "guerrilla," and am a true Confederate.

Respectfully,

JOHN Y. BEALL,
Acting Master, C. S. Navy.

The cruelty of the enemy was so swift that no sufficient time intervened between a knowledge of the facts and the execution to enable any proceedings to be taken.

Respectfully, your obedient servant,

R. OULD,
Agent of Exchange.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 15, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States, City Point, Va.:

GENERAL: Your telegram of the 13th instant to the Secretary of War in reference to release of prisoners in close confinement or in irons has been referred to this office, and I am directed to carry out your instructions. I would respectfully beg leave to state in explanation that General Orders, No. 6, of the 18th of January, which requires all prisoners of war in close confinement or in irons to be forwarded to Lieutenant-Colonel Mulford at Fort Monroe for exchange, was generally distributed, and it was expected it would fully meet the case. Wherever doubtful cases have been referred to this office with the advice of Major-General Hitchcock, commissioner for exchange, the broadest construction has been put upon the order, and under its terms spies, murderers, &c., have been forwarded for exchange.

On the 18th ultimo, pursuant to your telegram of the 17th, I sent an order to all stations in the North where prisoners have been so confined, "to forward all rebel prisoners who are or have been in close confinement or in irons to Point Lookout for exchange." Under this

order a number of prisoners have been forwarded, and if any have been detained it is without my knowledge.

On March 2 I gave the orders required by your telegram of the 23d of February, directing that a certain class of citizen prisoners should be forwarded for exchange, but that those who were awaiting trial on grave charges or who were undergoing sentence should be detained. Reports of the cases detained will be forwarded as soon as they are received. This last order would cover some of the cases discharged under the previous order.

There may be some cases occurring since the date of these orders, of arrests as spies, as for violation of the laws of war, where the parties are still held as not coming within reach of the orders, and I would be glad to be informed whether such cases should be forwarded for exchange.

On the 13th ultimo, under General Orders, No. 6, and your instructions of the 17th ultimo, I directed that S. H. Anderson, a citizen prisoner in confinement at Fort Wyman, Mo., should be forwarded for exchange. In the meantime his sentence to be hung was announced and was commuted to confinement during the war at Alton, where he now remains, as required by your telegram of the 23d ultimo.

In reply to my telegram of the 18th ultimo I have received reports from commanders of prison stations, from which it appears that there were no prisoners of war in close confinement or in irons at Fort Delaware, Fort McHenry, Camp Chase, or Alton, and those who were at Fort Warren, Johnson's Island, Louisville, Nashville, and Saint Louis have been forwarded. None have been reported at other Northern stations, but to insure that none shall be so held instructions have been sent to every station.

I have communicated your instructions to Major-General Canby with the request that they may be carried out in the Military Division of West Mississippi.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[MARCH 15, 1865.—For Grant to Meade, relating to exchange of prisoners, see Series I, Vol. XLVI, Part II, p. 987.]

HEADQUARTERS POST,

Camp Douglas, Chicago, Ill., March 15, 1865.

Bvt. Brig. Gen. W. HOFFMAN,

Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to respectfully report that Samuel Turner, Company B, First Tennessee (rebel) Infantry, prisoner of war, stabbed a prisoner on the 7th instant by the name of Patrick Tool, Company B, Fifteenth Tennessee. The prisoner stabbed died from the effects of the wound on the 11th instant. Turner is a desperate man, having stabbed three prisoners since his confinement in this camp, but neither of which, except the case already mentioned, proved fatal.

I have the honor to be, general, very respectfully, your obedient servant,

B. J. SWEET,

Colonel Eighth Regiment Veteran Reserve Corps, Comdg. Post.

CHICKASAW, ALA., *March 15, 1865.*

Brig. Gen. W. D. WHIPPLE, *Chief of Staff, Nashville:*

GENERAL: I have the honor to report my arrival here this evening and the receipt of the following communication from General Forrest, viz:

HEADQUARTERS FORREST'S CAVALRY CORPS,
In the Field, March 13, 1865.

Col. J. G. PARKHURST, *Provost-Marshal-General, Eastport, Miss.:*

COLONEL: I am directed by the major-general commanding to acknowledge receipt of yours of March 5, instant, and to say that arrangements have been made by Lieutenant-Colonel Watts, assistant commissioner of exchange, for the delivery of all Federal prisoners in our hands east of the Savannah and west of the Mississippi Rivers. Those in this department are now being delivered at Vicksburg and Mobile; hence further negotiations in regard to them are unnecessary. The washing away of some bridges on Mobile and Ohio road prevented Colonel Watts from reaching Iuka, and he determined, on account of the insecurity of the track, to return and deliver the prisoners at Vicksburg, which he is now doing.

I am, colonel, very respectfully, your obedient servant,

CHAS. W. ANDERSON,
Aide-de-Camp to Major-General Forrest, C. S. Army.

In a private letter received from Colonel Anderson he says:

I regret that the flood of water prevented Colonel Watts from reaching Iuka. He only got as far as Baldwyn and was compelled to return.

The information communicated in the foregoing letters renders it unnecessary for me to remain here longer. The Forty-fourth Wisconsin, Colonel Symes commanding, arrived here on the night of the 13th instant. As they are here only for the purpose of escorting prisoners, and as there will be no prisoners for the regiment to escort, I have given the colonel orders to report to the general commanding at Nashville, and they will leave to-morrow morning on the steamer Superior for Nashville. I shall return to Nashville by the first boat which Colonel Mackay sends out.

Two divisions of Major-General Wilson's command have crossed the river, viz, Long's and Croxton's. General Upton's division will cross to-morrow morning.

The river has fallen about eight feet and is still falling, but it is now raining quite hard.

I am informed that a raid of Federal troops from Memphis struck the Mobile and Ohio Railroad south of Corinth and drove away a party of citizens who were repairing the road and occasioned some damage to the road. The report on the subject is not sufficiently authentic to justify me in giving particulars.

I inclose copy of the order given Colonel Symes, of the Forty-fourth Wisconsin.*

I remain, general, very respectfully, your obedient servant,

J. G. PARKHURST,
Colonel and Provost-Marshal-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., March 15, 1865.

Maj. IG. SZYMANSKI,
Asst. Agent for Exchange, Trans-Miss. Dept., C. S. Army:

MAJOR: I have the honor to inform you that Lieutenant-Colonel Shannon and other officers captured at Fort Butler, Donaldsonville,

* Omitted.

La., June 23, 1863, being eight in number, and eight other officers captured from your forces in Arkansas, have arrived in this city from Johnson's Island to be exchanged. I will deliver them to you or any other officer duly authorized to receive them at Red River Landing at such time as you may designate. At the same time I will deliver to you all other prisoners of war belonging to the C. S. forces of the Trans-Mississippi Department whom we have at this station. They number less than 100, and the entire delivery will apply to cancel the indebtedness now existing against us for the excess of the delivery of February 26th, ultimo.

I have information from Major Curell, agent for exchange at Mobile, to whom I delivered the C. S. naval prisoners held at this station on the 4th instant, that Admiral Buchanan has been delivered to his friends at Richmond. His delivery with that to Major Curell furnished full equivalents for the delivery of naval prisoners to me on the 26th ultimo, and the latter have accordingly been declared exchanged.

I am, major, very respectfully, your obedient servant,

CHAS. C. DWIGHT,

Colonel and Agent for Exchange, Mil. Div. of West Mississippi.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,

Richmond, March 15, 1865.

Brig. Gen. W. M. GARDNER, *Salisbury, N. C.:*

It is desirable to use the prison houses at Salisbury, N. C., as ordnance workshops. Cannot the prisoners be removed to Danville or to some safe point, that these buildings may be appropriated as suggested?

S. COOPER,

Adjutant and Inspector General.

WASHINGTON, *March 16, 1865—12.50 p. m.*

Lieutenant-General GRANT:

A prisoner of war is in irons at Camp Douglas for the murder of another prisoner of war. Shall he be forwarded for exchange?

W. HOFFMAN,

Commissary-General of Prisoners.

HDQRS. GEORGIA RESERVES AND MIL. DIST. OF GEORGIA,

Macon, Ga., March 16, 1865.

Major-General GROVER, *Commanding, &c., Savannah, Ga.:*

GENERAL: By an agreement for exchange of prisoners it becomes necessary and proper to deliver within your lines over 5,000 prisoners of your army now held in this State. I propose to have these prisoners delivered at some convenient point near Savannah, Ga., say Doctor Town, on the Altamaha River. This note will be delivered by Col. C. A. L. Lamar, who is authorized and directed to arrange with you for the delivery of these prisoners as indicated above. The delivery will be made immediately upon your announcement to me that you will receive them.

I am, general, very respectfully, yours, &c.,

HOWELL COBB,

Major-General, &c.

[First indorsement.]

MARCH 29, 1865.

Respectfully forwarded to the Headquarters of the Army, Washington. In accordance with arrangements which I have made with General Cobb the prisoners are to be received by me at Darien, Ga., unless I receive in the meantime other orders from Washington, the delivery to commence on the 8th of April, proximo, or as soon thereafter as possible. Instructions with regard to the disposition that is to be made of the prisoners is requested.

Q. A. GILLMORE,
Major-General, Commanding.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE, *April 6, 1865.*

Respectfully referred to Major-General Hitchcock, commissioner for the exchange of prisoners.

W. A. NICHOLS,
Assistant Adjutant-General.

[Third indorsement.]

APRIL 7, 1865.

Respectfully referred to General Hoffman to give such instructions as may be necessary for the comfortable return of the prisoners herein referred to.

E. A. HITCHCOCK,
Major-General of Volunteers.

CAMP TOWNSEND, AUBREY TERRITORY,
Near Big Black Bridge, Miss., March 16, 1865.

An agreement having been entered into between Brig. Gen. Morgan L. Smith, U. S. Army, commanding District of Vicksburg, Miss., and Col. N. G. Watts and Lieut. Col. H. A. M. Henderson, of the Confederate Exchange Bureau, bearing date "Headquarters District of Vicksburg, Vicksburg, February 21, 1865," in behalf of their respective Governments for the exchange of certain prisoners of war, now the better to execute the same, it is hereby further stipulated between said Brig. Gen. Morgan L. Smith and said Col. N. G. Watts:

First. That an area of territory extending from Big Black bridge, including the left bank at the end thereof, to the Four-Mile bridge, and one mile and a half in width on each side of the railroad between these points, be, and is hereby, set apart as neutral ground for the purposes of this exchange, upon which no hostile military operations or movements shall be begun or carried on; and no person or persons connected with the duties herein mentioned or engaged in the exchange of prisoners, by and with the consent of the parties hereunto agreeing, shall be molested or interfered with, whether with or without a flag of truce, so far as the two Governments are concerned. Said neutral ground herein described shall be called and known as Aubrey Territory.

Second. That during the transit of prisoners of war between Pearl and Big Black Rivers, whether Federal or Confederate, no hostile person or persons belonging to the Federal or to the Confederate armies shall in anywise molest or interfere with the prisoners, officers or men, or transportation of either Government.

Third. That the United States Government shall lay a pontoon bridge over Big Black River near the ruins of the railroad bridge, which shall

be used exclusively for the passage of prisoners of war for exchange, the men and officers connected with said exchange, their transportation and effects, and that it shall be employed for no other purpose whatever without the mutual consent of the parties entering into this stipulation.

Fourth. That the Confederate Government shall guard the end of said pontoon bridge on the left bank of Big Black River and the Federal Government shall guard the end thereof on the right bank of said river.

Fifth. That the Federal Government shall repair immediately the railroad, putting the same in running condition, from the Four-Mile bridge on said road to this point, to be used exclusively for the purposes of the exchange hereinbefore referred to, and for none other, except in special cases, and then only by consent of the parties hereunto agreeing.

Sixth. All Confederate prisoners shall be turned over and receipted for on the right bank of said Big Black River, and all Federal prisoners on the left bank thereof.

Seventh. The foregoing stipulations in this agreement are to remain in full force and effect for the space of thirty days from the date hereof, at the expiration whereof they shall ipso facto become null and void, unless re-entered into by competent authority of said Governments.

Eighth. At the expiration of the aforementioned truce the pontoon boats over the Big Black River shall be taken up and returned under escort to the U. S. lines in front of Vicksburg.

M. L. SMITH,
Brigadier-General, &c.
N. G. WATTS,
Colonel, &c.

CITY POINT, VA., *March 17, 1865.*

Brig. Gen. W. HOFFMAN, *Washington:*

The agreement for the exchange of prisoners in close confinement or irons does not cover cases taken up after the agreement was entered into.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS MILITARY DISTRICT OF FLORIDA,
Tallahassee, March 17, 1865.

OFFICER COMMANDING U. S. BLOCKADING SQUADRON,
Off Saint Mark's:

SIR: In the latter part of January last a party of U. S. troops, either of the land or naval force, captured a lieutenant and eighteen men of the C. S. service at Rico's Bluff, on the Apalachicola River, and at other times captured on the coast a few soldiers engaged in making salt. I have heard that those prisoners were sent to Pensacola or Ship Island. In the skirmishing on the 5th or 6th instant near Newport Corpl. John P. Carlton and Private Wesley Hendry, of Company F, Fifth Battalion Florida Cavalry, were missing, and it is presumed they were captured by the U. S. troops and are now held as prisoners. I have certain prisoners of war captured within this district, and I now propose to exchange them for the prisoners above referred to on the

principle of the cartel of exchange now existing between the two Governments and agreeably to which exchanges are now made.

If you are not authorized to make the proposed exchange may I ask that you will inform me who has the authority and that you forward this communication to him?

I am, very respectfully, &c.,

SAM. JONES,
Major-General, Commanding.

NAVY DEPARTMENT, *Washington, March 18, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to transmit herewith a list of prisoners captured by the Navy, now imprisoned in Fort Warren, with a brief memorandum of each case. Many of them have been confined upward of two years, as they were experienced seamen and it was deemed inexpedient to release them. The closing of the principal ports used by blockade-runners has deprived these parties of their power to inflict serious injury upon the Government or to aid the insurgents. It is therefore a matter of no great importance to detain them longer, and I have therefore the honor to turn them over to the War Department with a recommendation that they be exchanged.

This list embraces all confined in Fort Warren that the Department has not given instructions as to their disposition, excepting Alfred Brownell or Brummell. The circumstances in his case are that he was a clerk in the rebel Treasury Department and had been several times to Europe on their service. Just previous to his capture he had come from New York bringing paper, ink, plates, and materials for making rebel Treasury notes. He was captured May 17, 1863. It is suggested whether he should not be subjected to trial by a military court; also whether William D. Archer should not be likewise tried.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

[First indorsement.]

MARCH 23, 1865.

Upon referring these two cases to the Secretary of War he did not think it worth while to order a trial unless the specification of crime could be made more definite and the evidence be more precise.

E. A. H[ITCHCOCK],
Major-General of Volunteers.

[Second indorsement.]

OFFICE COMMISSIONER OF EXCHANGE,
March 23, 1865.

The within list was sent to General Mulford, per letter of this date, with the following remarks, to wit:

The following is a list of blockade-runners and others—naval captures—now confined at Fort Warren, who may be made use of in procuring the release from rebel prisons of any of our men captured by the enemy, connected with the naval service, or serving on boats of any description in the public employ.

E. A. HITCHCOCK.

[Inclosure.]

List of blockade-runners and others—naval captures—now imprisoned in Fort Warren, who are turned over to the War Department for

exchange or such other disposition as the Honorable Secretary of War may think proper to make of them, viz:

William D. Archer, captured May 12, 1863, claims to be a private in rebel service. Boasts, it is said, of having killed some of the "damned Yankees;" of his intentions to continue his exploits in this line and of having been one of those who fired upon the pursuit boat, which was enticed on shore by misuse of a flag of truce in the hands of men disguised as contraband women. Several of the pursuit men were seriously wounded at the time.

H. Burrows, of South Carolina, passenger in steamer Britannia, captured off the Bahamas June 24, 1863.

M. A. Beck, private, Ninth Florida Regiment, captured on Florida coast June 1, 1863.

James H. Britt, of North Carolina, captured in rebel blockade-runner R. E. Lee November 9, 1863, of which he was steward. Single man, farmer, twenty-seven years old.

John Carnighan, captured in blockade-runner Britannia, on which he was a passenger, June 24, 1863.

Robert Caldwell, private, Sixty-third Georgia Regiment, captured in Wassaw Sound July 21, 1863.

W. H. Crawley, who claimed to be an English subject at time of capture, but is regarded as an American citizen, captured July 2, 1864, while violating the blockade.

J. W. Davis, captured in the steamer Lizzie Davis, running the blockade, September 16, 1863. Born in Massachusetts; forty years old; has lived in Mobile twenty years; an avowed citizen of the so-called Confederate States and particularly hostile to the Government of the United States.

Ross Davis, of South Carolina, was master of the blockade-runner Pet, captured off Wilmington February 15, 1864. Mariner by occupation; thirty-five years old. Made nine round trips in the Pet.

G. W. Davis, of North Carolina, second mate of the Britannia, captured June 24, 1863.

D. Drake Carter, alias Charles Drake, captured in the Thistle, trying to enter Wilmington, June 4, 1864; claimed to be a British subject, but subsequently confessed that he is a Kentuckian, and belonged to Morgan's band. Was captured, escaped from Camp Chase into Canada, and made his way to Bermuda and Nassau. Surgeon Sixth Kentucky Cavalry.

John Edwards, captured March 7, 1863, on Florida coast; private in rebel army. Reported as a rebel mail carrier, and captain of a guerrilla band.

M. J. Freeman, chief engineer of the rebel steamer Alabama, captured June 19, 1864.

William Gance, private, Texas battalion, captured at Sabine Pass April 10, 1863.

R. H. Gayle, lieutenant in the rebel Navy, captured in command of the blockade-runner Stag January 9, 1865.

Benjamin Griffin, alias McPherson, of Maryland, captured July 6, 1864.

Samuel Grissam, of North Carolina, twenty-seven years old, single; was pilot on the blockade-runner R. E. Lee; captured November 9, 1863. Claimed to be a British subject, but would not swear to it. Always followed the sea.

W. W. Helm, of Mississippi, claims to be a captain of rebel cavalry; captured May 6, 1863, near Mobile, on a blockade runner.

M. L. Hobson, of Virginia, captured May 6, 1863, in the Gulf of Mexico on a blockade-runner.

M. A. Hardin, of Kingston, Ga., represents himself as a captain of rebel cavalry; captured on a blockade-runner April 25, 1863.

Joseph T. Herpin, of Alabama, was supercargo and part owner of schooner General Prim; captured April 24, 1863; was tried by military commission at Key West, and recommended to be paroled. Served for a few months in the First Alabama Volunteers; was never in action.

S. Henderson, captured in the blockade-runner Planter June 15, 1863, of which vessel he was steersman; fifty years old, family in the South. Declined the oath for fear of confiscation of his property; a steam-boat man by occupation; willing to take a neutral oath.

R. H. Hooper, born in Baltimore, captured in the steamer Hattie, off Wilmington, July 24, 1864; twenty-four years old, single man, seaman; always sailed out of Southern ports. Says his object in manning the blockade-runner was to recover his health. Discharged from rebel service on account of disability. Intended to remain abroad until close of war.

W. C. Hammer, of Baltimore, was captain of the rebel blockade-runner Hope; run blockade four or five times; captured October 22, 1864.

H. H. Ingraham, of Florida, was purser of the rebel blockade-runner R. E. Lee; captured November 9, 1863; twenty-four years old; previous business an accountant.

R. Jamison was master of the blockade-running schooner Two Sisters; captured near the Rio Grande September 20, 1863.

C. P. Jenkins, of Florida, private, Ninth Florida Regiment, captured on Florida coast June 1, 1863.

J. P. Johns, same as next above.

C. P. Jervey was first mate of the rebel blockade-runner Ella and Anna; always followed the sea; captured November 6, 1863.

Robert Johnson, master of the schooner Director, captured on the coast of Florida September 29, 1863.

William Jones, captured on a blockade-runner July 2, 1864; seaman by profession.

Vincent Leonardy, captured on Florida coast October 17, 1863.

John Lewis, second mate of the blockade-runner Matagorda, captured September 10, 1864.

Isaac Lewis, was steward of the blockade-running steamer Lucy; captured November 2, 1864; claimed to be a British subject, but was ascertained to be an American citizen.

Alexander Lawrence, was chief engineer of the Ella and Anna, blockade-running steamer; citizen of Baltimore; single; captured November 6, 1863.

David Morgan, seaman of the steamer Planter, captured June 15, 1863.

Benjamin P. McCaskey, boatswain of the rebel steamer Alabama, and of the rebel Navy; captured June 19, 1864.

T. A. Menzies, engineer of the blockade-runner Ida, captured July 8, 1864; citizen of Maryland.

Malcom Macneu, passenger in the blockade-running steamer Spaulding, captured October 4, 1863; native of Pennsylvania.

E. H. Putnam, of North Carolina, mate of the steamer Lizzie, captured July 16, 1863.

William R. Postell, was master of the blockade-runner Ida; captured July 8, 1864; native of South Carolina; residence, Georgia; formerly in the U. S. Navy.

James A. Russell, master of the schooner Fortune, captured May 27, 1864; seaman.

John Roberts, of North Carolina, captured off Wilmington, October 11, 1863.

Cornelius Smith, captured in the Calypso June 11, 1863.

Alexander Swazey, was captain of the blockade-runner Ella and Anna; captured November 20, 1863; citizen of South Carolina.

W. C. Schryminger, master of the steamer Matagorda, captured September 10, 1864.

R. W. Sassard, of Wilmington, N. C.; single man; was chief engineer of the steamer R. E. Lee; captured October 11, 1863.

J. E. Smith, master of the schooner Clara Louisa, captured August 8, 1863.

George McD. Stoll, passenger in the steamer Spaulding, captured October 11, 1863; citizen of North Carolina.

George F. Trescott, of South Carolina, master of the blockade-runner Cherokee, captured June 2, 1863.

W. T. Thompson, fireman of the steamer Minnie, blockade-runner, captured May 9, 1864.

John Wilson, private of Ninth Florida Regiment, captured June 1, 1863.

C. W. Westondorff, of Charleston, S. C., commanded the Bermuda, which was captured in the early part of the war, loaded with arms, &c., intended, as was supposed, for the insurgents. Taken to Philadelphia, released, and remained there for a year or two. Went back to the South to see his family, as he states, and was captured in the steamer Lilian August 24, 1864, on which he was a passenger.

E. G. Whitney, of Charleston, S. C., seaman by profession; captured November 6, 1863, in the Ella and Anna, of which he was third mate.

Samuel Williams, captured in the schooner Alabama September 12, 1863.

Lewis Green, of Mobile, Ala., captured at sea May 6, 1863.

William C. Wilson, native of Ireland; family in Mobile; was second mate of schooner Alabama; captured September 12, 1863.

HARPER'S FERRY, *March 18, 1865.*

Hon. E. M. STANTON:

There is at Point Lookout a rebel prisoner by the name of Frank Bernaugh, who previous to his entering the rebel army committed a most wanton murder of an Irishman who declared his purpose to fight for the Union. The name of the murdered man was James Brisbin. The murder was committed July 22, 1861, at Lovettsville, Loudoun County, Va. This man is about being exchanged as a prisoner of war. Cannot he be detained and tried for this murder?

Respectfully,

J. D. STEVENSON,
Brigadier-General, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 18, 1865.

Brigadier-General SCHOEPF, *Commanding Fort Delaware, Del.:*

By order of the Secretary of War prisoners will not be permitted to sell tobacco which they have received from their friends. They must take it with them when they are released on parole.

W. HOFFMAN,
Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 18, 1865.

Lieut. Col. JOHN E. MULFORD,
Agent for Exchange, Fort Monroe, Va.:

COLONEL: I have to-day directed that Adjutant Hollingsworth, of the late General Stuart's staff, be forwarded with next party from Johnson's Island, to be exchanged, if practicable, for Lieutenant Bradford, acting assistant commissary of subsistence. The former was on the staff of the late General Stuart, of the rebel Army, and the latter belongs to the staff of Major-General Torbert, on whose application Major-General Hitchcock requests the exchange to be made. Without declaring a special exchange, it will be sufficient if you can secure the release of the officer named on parole. On a paper which was referred to me by the Adjutant-General in reference to the duties which paroled officers may perform, I have placed the following indorsement, viz:

Paroled officers may perform any service with paroled troops, not armed, that may be necessary for the preservation of good order. A captain may have charge of his company, muster it for pay, draw rations for it, attend to its police, and conduct it from one parole camp to another. A medical officer on parole may attend to paroled soldiers.

It will be well, perhaps, to let Mr. Ould know the latitude as to duty which we understand to be allowed the parole. Please consult Lieutenant-General Grant in reference to this matter.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

MARCH 18, 1865.

Brigadier-General HOFFMAN,
Commissary-General of Prisoners, Washington:

You will please amend exchange notice forwarded by me under date of March 4, 1865, to include all deliveries of Federal prisoners on James River up to and including the 25th day of March, 1865. This extension is made in consequence of a failure on the part of the enemy to deliver before the 10th certain prisoners which I claimed should be included in our exchange notice, and is made with consent of Mr. Ould. His declaration only includes 1st of March, 1865. You can also incorporate a clause in the notice declaring exchanged all naval prisoners delivered at any point within our lines previous to March 25, 1865.

JNO. E. MULFORD,
Brevet Brigadier-General, &c.

VARINA, *March 18, 1865.*

Brigadier-General HOFFMAN,
Commissary-General of Prisoners, Washington:

By agreement with Hon. R. Ould, agent for exchange, all citizen prisoners delivered to U. S. authorities at whatever place on or before the 15th day of March, 1865, are released from parole. This agreement is mutual. I held the ninety-six citizens from Point Lookout until the following day for delivery. Consequently they are not included in above arrangement.

JNO. E. MULFORD,
Brevet Brigadier-General, &c.

WASHINGTON, D. C., *March 18, 1865.*

Bvt. Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: I have just received notice from Brevet Brigadier-General Mulford, agent for exchange, of a further understanding between himself and Mr. Ould by which it is agreed that the time covered by the declaration of exchange as arranged by them on the 4th instant shall be extended from the 10th instant to include all deliveries of Federal prisoners on the James River up to and including the 25th of March, 1865. It has also been agreed that all Federal naval prisoners delivered at any point within our lines up to and including the same date (March 25, 1865) shall be declared exchanged. The agents for exchange have further agreed that all citizen prisoners delivered to the U. S. authorities at whatever place on or before the 15th day of March, 1865, are released from parole. This agreement is mutual. I have therefore the honor to request that the order about to be published announcing exchanges as requested in my letter of the 9th instant may be modified so as to embrace the further exchanges which have been arranged as herein reported. The exchange of rebel prisoners delivered on the James River is confined to deliveries up to and including March 1, as at first agreed upon.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

U. S. STEAMER MAHASKA,
Saint Mark's River, Fla., March 18, 1865.

Maj. Gen. SAMUEL JONES, C. S. Army:

SIR: I have to acknowledge the receipt of your communication of the 17th instant relative to an exchange of prisoners. I do not know the names of any prisoners captured by our troops in the skirmishing near Newport on the 5th or 6th instant. The lieutenant and men captured at Rico's Bluff, on the Apalachicola River, were sent to Key West. I am not authorized to make the exchange you propose; this is a matter which rests with the War Department. I shall be happy, however, to forward your communication to Brigadier-General Newton at Key West.

I am, very respectfully, your obedient servant,

WILLIAM GIBSON,
Lieutenant-Commander, Commanding First Division, East Gulf Blockading Squadron.

SALISBURY, *March 18, 1865.*

General S. COOPER:

I will remove Federal prisoners from the prison in a few days. The buildings can be turned over to the ordnance.

W. M. GARDNER,
Brigadier-General.

CAMP TOWNSEND, AUBREY TERRITORY,
Near Big Black River, Miss., March 18, 1865.

Brig. Gen. W. ADAMS, *Commanding, &c., Jackson, Miss.:*

GENERAL: I am here attending to the duties of the bureau to which I belong. I am delivering Federal prisoners and receiving Confederate

prisoners in return. I have agreed, with your sanction, with Federal authorities for the laying of a pontoon bridge at this place for the purpose of carrying on such exchange. I am to furnish a guard on the left bank of Big Black and they a guard on the right bank. When I last saw General Forrest he proffered to send me a regiment to carry out the object of my visit to this point. I did not deem it necessary, and informed him so, as I thought the command here sufficient.

I hear that Capt. John Wilkinson, of the Twenty-fourth Mississippi Battalion, is likely to be relieved from this post. I most respectfully ask that this shall not be done. I find him true and worthy. In a short time I will be receiving a large number of Confederate prisoners, who will have to go into parole camp. They have been for a long time confined in Northern prisons, away from country, home, and friends. All will be anxious to go home. I have no military jurisdiction, and can only turn over these prisoners to military authority. You know how these men will straggle. You know how important it is for them to be with their commands. You know how incompetent the present number of Captain Wilkinson's command is for these purposes; and for the good of our country I do ask most respectfully of you that instead of depleting his command you increase it fourfold, still retaining him in command. All agreements between Federals and Confederates I will send you copy of on Monday.

I am, general, your obedient servant,

N. G. WATTS,
Collector and Agent.

U. S. MILITARY PRISON,
Camp Morton, Indianapolis, Ind., March 19, 1865.

Col. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending March 18, 1865:

Conduct—very good. Cleanliness—good. State of clothing—good. Bedding—good. State of quarters—kept thoroughly policed. State of mess-houses—have none. State of kitchen—good. Food, quality of—first-class. Food, quantity of—sufficient. Water—sufficient. Sinks—sufficient. Police of grounds—thorough. Drainage—complete. Police of hospital—thorough. Attendance of sick—good. Hospital diet—first class. General health of prisoners—good. Vigilance of guard—very strict.

Very respectfully, your obedient servant,

J. W. DAVIDSON,
First Lieut., Veteran Reserve Corps, and Inspecting Officer.

HEADQUARTERS C. S. MILITARY PRISONS,
Salisbury, N. C., March 19, 1865.

General S. COOPER,
Adjutant and Inspector General, Richmond, Va.:

GENERAL: I think arrangements should be made to accommodate, at least temporarily, the prisoners of war who may be captured by the army under command of Gen. J. E. Johnston at some safe and convenient point. This place or its vicinity appears to me a suitable location. With this view I have sent an experienced officer, Colonel Forno, to select a place. Upon his return I shall direct that steps be taken to

provide for the shelter and security of some 5,000 men, in anticipation of that number being assembled here during the campaign, while waiting for transportation for exchange or confinement elsewhere.

The prison here was originally intended for the confinement of military and civil prisoners, but under the stress of circumstances prisoners of war were sent here. In a few days the Federal prisoners will have been removed, when the building will be turned over to the Ordnance Department. I hold that I have nothing to do with other prisoners than prisoners of war. The post commandant is the officer to control Confederate prisoners here. I have been informed that the ordnance officer here will construct a prison for their men, thus enabling the post commander to hand over to his control all the buildings now used as prisons. A portion of these buildings can be immediately used by the Ordnance Department.

I shall proceed to carry out the views expressed in this letter unless otherwise directed by the authorities in Richmond. I shall write to General Johnston to know if he regards this as a suitable point for the purpose. His answer may modify my intentions.

Very respectfully, your obedient servant,

W. M. GARDNER,
Brigadier-General.

GENERAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 40. } *Washington, March 20, 1865.*

Exchange of prisoners of war.

Official notification has been received of the following exchanges of prisoners of war:

All U. S. officers and men, prisoners of war (not heretofore declared exchanged), who were delivered on parole at Savannah, Ga., and Charleston, S. C., during the months of November and December, 1864, and all (not heretofore declared exchanged) delivered on parole on the James River, Virginia, from the 25th day of November, 1864, to the 25th day of March, 1865, both days inclusive, and all naval prisoners delivered at any points up to March 10, 1865.

The officers and enlisted men of the military service whose exchange is announced above, if in depot, will be ordered to their respective commands; if on leave of absence, will join their proper commands at the expiration of their leaves.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

RICHMOND, *March 20, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

GENERAL: Lieut. Daniel Davis, a Confederate officer, is held in close confinement and at hard labor with convicts at Fort Warren. Some time ago a Federal officer was selected in retaliation and put in close confinement for Lieutenant Davis. When, however, the recent agreement was made about this class of prisoners I immediately delivered the Federal officer to your authorities. Notwithstanding my prompt action, however, Lieutenant Davis is still retained in the manner I have mentioned. Captain Gordon and Major Armesy, of our service, were captured at the same time with Lieutenant Davis and were held,

like him, in close confinement. They, however, have been released and sent to us. Why Lieutenant Davis is retained I cannot conceive. I have brought this case several times to the attention of your authorities, but no action has been taken. I will thank you to cause him to be released and sent to us.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 20, 1865.*

Lieut. Gen. U. S. GRANT, U. S. Army:

GENERAL: The following-named Confederate soldiers are now in close confinement in the penitentiary at Nashville. They are all privates and belong to the commands indicated. Some, if not most of them, are dressed in convict clothes:

H. L. Bell, Tenth Tennessee Cavalry; John O. Scarborough, Eighth Kentucky; John S. Holder, Fourth Tennessee; Z. F. Bailey, Richard King, Eighth Kentucky; J. Phillips, H. F. Phillips, Lyon's command; R. B. Vaughan, Eleventh Tennessee Cavalry; William Andrews, First Kentucky Cavalry; Private Reaves, Ninth Tennessee; Y. K. Miller, Jesse Broadway, Forrest's command.

I will thank you to cause an order to be issued for their release and delivery.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

GENERAL ORDERS, No. 24. } HDQRS. DEPARTMENT OF THE EAST, *New York City, March 20, 1865.*

I. Before a military commission, which convened at Fort Lafayette, New York Harbor, and at New York City, by virtue of Special Orders, No. 14, current series, from these headquarters, of January 17, 1865, and of which Brig. Gen. Fitz-Henry Warren, U. S. Volunteers, is president, was arraigned and tried:

Robert C. Kennedy.

CHARGE I: Acting as a spy.

Specification 1.—In this, that Robert C. Kennedy, a captain in the military service of the insurgent States, was found acting as a spy in the city of New York, in the State of New York, on or about the 1st day of November, 1864.

Specification 2.—In this, that Robert C. Kennedy, a captain in the military service of the insurgent States, was found acting as a spy in the city of Detroit, in the State of Michigan, on or about the 29th day of December, 1864.

CHARGE II: Violation of the laws of war.

Specification.—In this, that Robert C. Kennedy, a captain in the military service of the insurgent States, undertook to carry on irregular and unlawful warfare in the city and State of New York, and in the execution of said undertaking attempted to burn and destroy said city of New York by setting fire thereto. All this in said city of New York on or about the 25th day of November, 1864.

To which charges and specifications the accused pleaded not guilty.

FINDING.

Of specification 1, charge I, guilty.
Of specification 2, charge I, guilty.
Of charge I, guilty.
Of specification, charge II, guilty.
Of charge II, guilty.

SENTENCE.

And thereupon the commission sentence him, said Robert C. Kennedy, captain in the military service of the insurgent States, to be hanged by the neck until dead, at such time and place as the general in command of the department may direct, two-thirds of the members concurring therein.

II. The major-general commanding approves the proceedings, finding, and sentence of the court. It is shown by the testimony:

1. That the accused has been an officer in the service of the insurgent States since August, 1861.

2. That he was in the city of New York in disguise, and under a false name, in the month of November, several weeks immediately preceding the attempt to set the city on fire.

3. That he was here for a purpose which he refused to disclose, and that he returned hastily by night to Canada.

4. That he stated in the presence of several persons that he set fire to Barnum's Museum and to one of the "down-town" hotels; and

5. That he was arrested at Detroit in disguise, armed with a revolver, traveling under a false name, and with a passport representing himself to be a loyal citizen.

On proof of these facts he was convicted of acting as a spy and carrying on irregular and illegal warfare. The person who testified to his confession of having set on fire Barnum's Museum and one of the hotels in the lower part of the city was not under duress or an accomplice, was a reluctant witness, and could have had no motive to make a false statement. He is corroborated by other testimony.

The attempt to set fire to the city of New York is one of the greatest atrocities of the age. There is nothing in the annals of barbarism which evinces greater vindictiveness. It was not a mere attempt to destroy the city, but to set fire to crowded hotels and places of public resort, in order to secure the greatest possible destruction of human life. The evidence shows that Barnum's Museum and ten hotels were fired on the evening of the 25th of November, the fires in most of them breaking out in quick succession, and indicating not only deliberate and complex design and concert on the part of the incendiaries, but a cool calculation to create so many conflagrations at the same time as to baffle the efforts of the fire department to extinguish them. In all the buildings fired, not only non-combatant men, but women and children, were congregated in great numbers, and nothing but the most diabolical spirit of revenge could have impelled the incendiaries to act so revoltingly.

The participation of the accused in this inhuman enterprise is a crime, which follows him, and his liability to answer for it is not to be cast off by withdrawing for a time from the jurisdiction within which it was committed. He has not only been guilty of carrying on irregular warfare, in violation of the usages of civilized States in the conduct of war, but he has, by outraging every principle of humanity, incurred the highest penalty known to the law.

His escape to Canada was followed in a few days by his return to the United States, again in disguise, with a new name, and personating a loyal citizen, while holding a commission in the service of the insurgents, thus furnishing the highest prima facie evidence that he was acting as a spy. No rebutting evidence was produced on the trial, although it continued twenty-three days, of which fifteen were given to the accused, by adjournments, to procure testimony and prepare his defense. Two papers were read as a part of his address to the court—one a pledge given to the transportation agent in Canada to return with all

due diligence "to the Confederacy," and the other a certificate made by him that he was a citizen of the State of Louisiana, with a request that he might be provided with means to return "to the Confederacy." Admitting their genuineness, they do not repel the presumption raised by the circumstances attending his arrest—the disguise and the false pretenses with which he was found within our lines. His flight to Canada was not a return within the lines of his own army. If he had found his way back to the insurgent States and had been subsequently captured in battle he could not have been convicted under the first specification of the first charge. But neither of these facts exist to remove or terminate his liability to conviction under that specification.

Whatever question may exist as to the effect of his return to Canada after having lurked as a spy, as charged in the first specification, no such question can arise as to his guilt as a spy, as charged in the second specification, which sets forth an offense entirely distinct from the first, of which he has been convicted on full proof.

The major-general commanding considers his duty as clear in this case as in that of Beall. The lives, the property, the domestic security of non-combatant citizens must be protected against all invasion not in strict accordance with the laws and usages of civilized States in the conduct of war. Crimes which outrage and shock the moral sense by their atrocity must not only be punished and the perpetrators be deprived of the power of repeating them, but the sternest condemnation of the law must be presented to others to deter them from the commission of similar enormities.

Robert C. Kennedy will be hanged by the neck till he is dead at Fort Lafayette, New York Harbor, on Saturday, the 25th day of March, instant, between the hours of 12 noon and 2 in the afternoon.

The commanding officer of Fort Lafayette is charged with the execution of this order.*

By command of Major-General Dix:

D. T. VAN BUREN,
Colonel and Assistant Adjutant-General.

HEADQUARTERS, *Ship Island, Miss., March 20, 1865.*

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners of War:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the ten days ending March 20, 1865:

Conduct—excellent. Cleanliness—good. Clothing—sufficient. Bedding—straw. State of quarters—tents, nearly unserviceable. State of mess-house—none. State of kitchen—good. Food, quality of—good. Food, quantity of—no complaints. Water—good. Sinks—good. Police of grounds—good. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—attended to. General health of prisoners—good. Vigilance of guard—excellent.

If prisoners of war are to be kept at this station, barracks must be erected, as tents last no time here. The tents wherein the prisoners are at present are nearly worthless, and if allowed to rot away without

* Under date of March 25, 1865, Lieut. Col. Martin Burke reported to General John A. Dix the execution of Kennedy.

providing other means to house them the prisoners will be forced to lie on the bare sand beach.

Very respectfully, your obedient servant,

ERNEST W. HOLMSTEDT,
Colonel, Commanding Post.

GENERAL ORDERS, No. 5.

HDQRS. C. S. MILITARY PRISONS EAST OF MISSISSIPPI RIVER,
Salisbury, N. C., March 20, 1865.

I. Pursuant to the orders of the War Department the undersigned assumes command of the C. S. military prisons east of the Mississippi River.

II. The following officers are announced on the staff of the brigadier-general commanding: Capt. William G. Barth, assistant adjutant-general; Maj. R. B. Winder, chief quartermaster; Surg. I. H. White, chief surgeon.

III. Until further orders the headquarters of the Commissary-General of Prisoners will be located at Salisbury, N. C., to which point all communications will be addressed.

W. M. GARDNER,
Brigadier-General, Provisional Army, C. S.

MACON, *March 20, 1865.*

Lieut. Gen. R. TAYLOR,
Comdg. Dept. of Ala., Miss., and E. La., Meridian, Miss.:

GENERAL: I inclose copies of my instructions* relative to the exchange of prisoners of war now confined in the States of Georgia, Alabama, and Mississippi, and would most respectfully request such information and assistance as you may be able to give me. The last clause of my instructions to deliver prisoners of war to the Federal authorities at Mobile, or other point that might be agreed upon, is intended to include prisoners held by officers in the field, as Commissioner Ould was informed that General Forrest, under your command, held prisoners of war in his military district. Please be kind enough to have me furnished with the number of these prisoners, and at what points they are confined, and, if possible, the number of prisoners exchanged at Iuka and the number still remaining in Alabama and Mississippi, and at what points.

Major General Cobb has sent an officer to Savannah to confer with the Federal commander to ascertain if prisoners would be received there; also a telegram to yourself requesting that you confer with the Federal commander at Mobile to ascertain if prisoners would be received either at Saint Mark's or Jacksonville, Fla., or any other point the latter might suggest. I would most respectfully request an early response, as it will greatly expedite the exchange of prisoners.

Any communication addressed to care of Major-General Cobb at this point will reach me.

I am, general, very respectfully, your obedient servant,

JNO. C. RUTHERFORD,
Captain, &c.

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* See Ould to Rutherford, February 20, and Mulford to Ould, February 16, pp. 277, 238, respectively.

GENERAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 46. } *Washington, March 21, 1865.*

All citizens held as prisoners under parole from the rebel authorities delivered to the U. S. authorities at whatever place on or before the 15th day of March, 1865, are declared released from such parole.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 47. } *Washington, March 21, 1865.*

Exchanged officers and men to report at parole depots.

I. Officers and enlisted men whose exchange is announced in General Orders, No. 40, who are on leave of absence, or may be hereafter granted leave, will, on the expiration of their leaves, report at the designated parole depots, preparatory to being forwarded to their respective commands.

II. Commanders of parole depots will forward exchanged officers and men as they assemble at the depots as rapidly as possible to the armies to which they belong.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

CITY POINT, *March 21, 1865—8 p. m.*

Brigadier-General HOFFMAN, *Washington:*

You may reduce the number of prisoners forwarded here for delivery to 2,000 per week until further notice.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *March 21, 1865.*

Brigadier-General MULFORD:
(Care General Ord.)

Have you information yet of our prisoners in the West being relieved? I have no information of any being sent by the way of Eastport or the Mississippi River, except from the west bank. Only newspaper report of these.

U. S. GRANT,
Lieutenant-General.

VARINA, VA., *March 21, 1865.*

Lieutenant-General GRANT, *City Point, Va.:*

I have no information on the subject of deliveries in the West. Mr. Ould informed me some time since that he had dispatched agents from Richmond to the different points where our prisoners were held, with full power and instructions to deliver all prisoners in the shortest time possible. He informed me two days since that all communication with

the South was cut off, in consequence of which he is unable to obtain any information, and expects to hear by way of our lines. I have been expecting our deliveries of Confederate prisoners at this point would fall off, but as yet there is no abatement. I would suggest that General Hoffman be requested to limit the shipments for the present to some 2,000 or 3,000 per week, at least until we learn what is being done at other points. Have you any information concerning the officers who were at Fort Pulaski?

JNO. E. MULFORD,
Colonel and U. S. Assistant Agent for Exchange.

CITY POINT, VA., *March 21, 1865.*

Brigadier-General MULFORD:
(Care General Ord.)

I do not know what has been done with the officers at Fort Pulaski. I sent orders to have them delivered at Charleston. Before the order was received Charleston had fallen into our possession. I then sent orders to have them sent to the James River. Before that order was received General Gillmore wrote to me that, having received my first order, which had been directed to General Foster, he had sent a flag to find an enemy to deliver the prisoners to. I have heard nothing since.

U. S GRANT,
Lieutenant-General.

CITY POINT, VA., *March 21, 1865.*

Bvt. Brig. Gen. JOHN E. MULFORD:

You will please put in writing and forward to these headquarters terms and conditions of the existing agreement entered into between you and Judge Ould, under which prisoners of war are being exchanged, and the number delivered on each side up to date under the present arrangement. You will also please put in writing, and forward as above requested, the agreement entered into between you and Judge Ould on the inclosed correspondence between the lieutenant-general and General R. E. Lee, relating to certain citizen prisoners alleged to have been held in Richmond, and a general exchange of citizen prisoners not under charges of being spies or under conviction for offenses against the laws of war, and if the prisoners referred to have been released. Please comply with the above request at the earliest possible moment.

JNO. A. RAWLINS,
Brigadier-General and Chief of Staff.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., March 21, 1865.

Brevet Brigadier-General HOFFMAN,
Commissary-General of Prisoners:

GENERAL: I had the honor this day to dispatch to you a telegram relative to our embarrassment occasioned by the recent inundation of the Chemung River, and would now submit more explicit detail of the case. The rapid rise of the stream on the night of the 16th instant made it clear that the low flat upon which the smallpox ward was located

would be whelmed and the fence swept away. Although I felt confident that the ward would not be carried away, still, as it was obvious that the freshet was to be an extraordinary one, it would not do to imperil between 200 and 300 lives. Rafts were accordingly built to convey this number from the part of the camp isolated by water from the camp proper, and the removal was accomplished without any casualty. They were placed in six old barracks on the highest ground of the camp. These barracks are very old and nearly useless, having been kept standing through the winter only by means of props and braces outside. Their destruction will now be necessary, as it would not be safe again to occupy them as barracks. In consequence of the great reduction of the camp it will not be necessary to erect new ones in their places. The river continued to rise until the entire camp, except about an acre, was flooded. It even crossed the road and flooded the camp of the Nineteenth Veteran Reserve Corps on the opposite side. We were compelled to remove the sick of the camp to the Nineteenth Veteran Reserve Corps barracks. This was accomplished with great promptness; with no escape of prisoners, and, what is still more remarkable, with but slightly increased loss of life. I immediately took measures to rebuild the fence. It will be completed in a few days. About 2,700 feet were carried away. I shall sink the posts six feet and anchor them and build flood gates across the lowest part. There was no loss of buildings and none of stores, except a very small quantity stolen by prisoners during their removal. No prisoners can pass over the Northern Central Railroad, as we are at present advised, within less time than two weeks.

Very respectfully, your obedient servant,

B. F. TRACY,

Colonel 127th U. S. Colored Troops, Commanding Post.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Varina, Va., March 22, 1865.

Brig. Gen. JOHN A. RAWLINS,
Chief of Staff, Headquarters Armies, &c.:

GENERAL: I have the honor to inclose herein for your information an official copy of a letter addressed to me by Hon. R. Ould, Agent for Exchange, bearing date "Richmond, Va., August 10, 1864,"* in which you will find embodied the agreement and basis for the exchange of prisoners of war now being carried on between the respective belligerents.

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,

Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

CITY POINT, VA., *March 22, 1865.*

Maj. Gen. JOHN M. SCHOFIELD,
Commanding Department of North Carolina:

Your action thus far in the matter of exchanges is satisfactory and is approved. You will continue to receive and receipt for all Union prisoners of war delivered to you by the rebels, but you will make no deliveries in return. All deliveries of prisoners to the rebels will be made on the James River. An army commander is authorized to exchange, man for man, all prisoners captured on the ground, with a

* See Vol. VII, this series, p. 578.

view of their being immediately put into the ranks. If the rebels desire and propose it this course may be adopted in North Carolina if you deem proper.

By command of Lieutenant-General Grant:

T. S. BOWERS,
Assistant Adjutant-General.

RICHMOND, *March 22, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: The officers who were recently sent from Nashville, Tenn., some eight or nine in number, concur in the statement that the following-named Confederate officers and soldiers were hung in Nashville at the times named, to wit:

Lieutenant Mosely, on the 30th of September, 1864; Capt. J. F. Fraley, Fourth Tennessee Cavalry, in May, 1864; Private Lee Cathey, Forty-first Tennessee, in June, 1864; Private William Lemon, Seventeenth Mississippi, in June, 1864; Private Jesse Nearing, Thirty-second Tennessee, in June, 1864; Private Robert T. Gossett, Forty-second Tennessee, on the 8th of July, 1864; two brothers by the name of West, belonging to the Thirty-second Tennessee, in June, 1864.

Several of the returned officers witnessed the executions.

These men belonged to regular commands and were in the discharge of their duty when captured. I will thank you to inform me why these executions took place, and why Confederate soldiers, whom the fortune of war has thrown in the hands of your military authorities, are thus treated. It is very easy for you to find out the truth or falsity of this representation, and I therefore request an early response to this communication.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

CITY POINT, VA., *March 22, 1865—11.30 a. m.*

Bvt. Brig. Gen. J. E. MULFORD,
Agent of Exchange, Varina Landing:

Lieutenant-General Grant has directed that all transports, with the exception of the New York, which have been turned over to you for the exchange of prisoners be withdrawn from that purpose and sent to me. The necessity is urgent. When can I have the convoys Manhattan and Robert Morris? Send all as soon as possible. Answer.

G. W. BRADLEY,
Colonel and Chief Quartermaster.

MACON, *March 22, 1865.*

Hon. J. C. BRECKINRIDGE:

Was on my way to Richmond. Met Captain Rutherford with orders for disposition of prisoners in the West. Learn from him prisoners were being rapidly paroled for exchange. I have consented to give attention for the present to the West. Please advise whether I shall visit Richmond or await orders at Montgomery.

G. J. PILLOW,
Brigadier-General.

[First indorsement.]

MARCH 23, 1865.

ADJUTANT-GENERAL:

For report and copy of order sent to General Pillow.

By command of Secretary of War:

SAML. W. MELTON,
Assistant Adjutant-General.

[Second indorsement.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
March 23, 1865.

Respectfully returned to the Secretary of War, with copies of the orders called for.*

General Pillow has been furnished, through General J. E. Johnston, with copies of the orders in his case and has also had the substance of them telegraphed to him direct. No general order has yet been issued relieving General Pillow from duty as Commissary-General of Prisoners, but paragraph XL, Special Orders, No. 48, current series, from this office, revokes the general order assigning him to that duty.

By order of Adjutant and Inspector General:

JNO. WITHERS,
Assistant Adjutant-General.

GENERAL ORDERS, No. 6.

HDQRS. C. S. MILITARY PRISONS EAST OF MISSISSIPPI RIVER,
Salisbury, N. C., March 22, 1865.

I. All officers of the prison department who are exercising separate commands will without delay forward to these headquarters the following reports:

First. A field return of all troops serving under their commanders as prison guards, including therewith all detailed men in what capacity soever serving.

Second. A roll of all Federal prisoners in their charge, according to the form heretofore in use, to include all prisoners on hand on the 1st proximo.

Third. A list of all officers on duty with each command showing name, regiment, and company, how employed, date of assignment to prison department, and authority for such assignment, giving number and date of orders in all cases [in] which it is practicable. When this cannot be done the authority must be specially set forth in the column of remarks.

Fourth. A similar list of the foregoing, embracing all detailed men on duty at each post, or in each staff department, or in any way therewith connected, specifying in the column of remarks whether the man is provided with a certificate of disability for field service, and by what medical board or medical officer such certificate was granted.

II. On the first of each month the commanding officer of each prison will forward to these headquarters:

First. A field return of troops serving at his post as prison guards, similar to that called for in paragraph I.

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* See General Orders, No. 84, Adjutant and Inspector General's Office, Vol. VII, this series, p. 1150; General Orders, No. 6, February 14, 1865, p. 224; also, Special Orders, No. 48, Adjutant and Inspector General's Office, February 27, and Special Orders, No. 51, March 2, 1865, Series I, Vol. XLVII, Part II, pp. 1284, 1313.

Second. A similar field return of the prisoners of war under his charge.

Third. A list of all prisoners who have been received, sent off, escaped, or died since the last return.

Fourth and fifth. Rolls of officers and detailed men on duty similar to those called for in the preceding paragraphs, numbers 2 and 3.

III. Whenever any prisoner escapes the officer from whose command he may have escaped will at once furnish to these headquarters a descriptive roll of all the circumstances attending the escape, and designating the party through whose neglect it occurred, with a view to holding him to a strict responsibility for his offense.

IV. The rolls of Federal prisoners called for in paragraph I and II will not be required to include prisoners temporarily received *in transitu* who have been already taken upon the registry of another prison; commanding officers will however make special reports of all prisoners who have escaped while en route.

By order of W. M. Gardner, brigadier-general:

WM. G. BARTH,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 23, 1865.

Lieut. Gen. U. S. GRANT,
Commanding U. S. Armies, City Point, Va.:

GENERAL: I have the honor to report that I have to-day been furnished with an authenticated copy of the proceedings of a military commission which sentenced Walter H. Pierson to be confined at Fort Delaware during the war. From these proceedings it appears that he was at the time of his capture, in June, 1863, a private in Company H, First Maryland Artillery, rebel Army, and understanding your recent instructions in regard to prisoners of war of this class as requiring all held under such circumstances to be forwarded for exchange, I have directed that Pierson shall be sent to City Point with the first party from Fort Delaware. He is not confined in a cell nor is he in irons, but he is held in close confinement as prisoners under sentence usually are, and not as a prisoner of war. He has heretofore been reported as a citizen prisoner.

I understand your instructions to cover all prisoners of war, not citizens, who at the time of the agreement were under sentence, or held under any special confinement, not as other prisoners of war. Some were in close confinement, not in cells, nor in irons, waiting trial, some were waiting sentence, some were under sentence but were not in irons nor in cells, others were under sentence and wearing ball and chain. All these classes I have considered to come within the spirit of your instructions, but to guard against misunderstanding I have directed that a history of each case should be sent with the rolls to City Point, so that the propriety of delivery might be decided on there.

I presume it is desirable that Mr. Ould should have no pretext for holding Union soldiers in special confinement on the plea that men of the rebel Army are not released according to agreement.

I will report in relation to the cases referred by Mr. Ould as soon as I have obtained the necessary information.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Varina, Va., March 23, 1865.

Brig. Gen. JOHN A. RAWLINS,
Chief of Staff, Headquarters Armies, &c.:

GENERAL: I have the honor [to] make the following statement in answer to that portion of your communication of the 22d [21st] instant which relates to citizen prisoners. No specific agreement has been entered into between Judge Ould and myself in reference to citizen prisoners. The correspondence between Lieutenant-General Grant and General R. E. Lee is the basis upon which I understand the release of citizens confined in Southern prisons has been consummated. Mr. Ould whenever this subject has been under discussion has insisted upon certain stipulations in connection with the release of citizen prisoners which our authorities have always opposed, being in substance an agreement that "arrests of non combatants should not be made except in cases where it might be found necessary to make temporary arrests, for the purpose of preventing parties giving information of military movements, and persons so arrested to be promptly released as soon as the emergency requiring such arrest shall cease to exist." Our authorities declining to accept this proposition, and Mr. Ould being unwilling to yield the point, rendered it practically impossible for terms in behalf of this class of prisoners to be made. Since the correspondence of Lieutenant General Grant and General Lee on this subject Mr. Ould informed me of his intention to release all citizen prisoners held by Confederate authorities and he hoped our authorities would do the same. He has since informed me that orders have been issued by him for the release of all our citizen prisoners held in the Confederacy, and that all those who were confined in Richmond and Salisbury have been delivered either here or at Wilmington.

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

OFFICE ASST. AGENT FOR EXCHANGE OF PRISONERS,
Varina, Va., March 23, 1865.

Aggregate of prisoners received and delivered at Savannah, Charleston, and in James River from November 1, 1864, to March 22, 1865, inclusive.

Federals received:	
November and December, Savannah and Charleston	10,916
November to March 22, 1865, James River	8,348
Total	19,264

To the above you will add our receipts at Wilmington, which I believe are about 8,000 men and 1,000 officers.

Confederates delivered:	
November and December, Savannah and Charleston	3,137
November to March 22, 1865, James River	22,916
Total	26,053

JNO. E. MULFORD,
Lieutenant-Colonel and U. S. Assistant Agent for Exchange.

HEADQUARTERS C. S. ARMIES, *March 23, 1865.*

Lieut. Gen. U. S. GRANT, *Commanding U. S. Armies:*

GENERAL: I have the honor to acknowledge the receipt of your letter of the 13th [14th] instant with the inclosed paper relative to an alleged attempt to murder a Federal officer while a prisoner of war, and the murder of two others. In reply I beg leave to say that I know nothing of the facts stated in the communication, nor does it afford me the means of ascertaining them. The act complained of, if committed, was done without any authority, and is at variance with the rules by which the Confederate Government endeavors to conduct hostilities. It was probably one of those acts of unauthorized violence proceeding from individual passions, which it is difficult to prevent, but which are not the less to be lamented. Many similar outrages committed upon the persons of Confederate soldiers and citizens by persons in the Federal service have been reported to me, which I trust admit of the same explanation. I endeavor by every means in my power to prevent such violations of the rules of civilized warfare, which only tend to inflame feelings already unfortunately too much embittered, and which unavoidably reflect upon the party to which the perpetrators belong.

Very respectfully, your obedient servant,

R. E. LEE,
General.

HEADQUARTERS POST OF MURFREESBOROUGH,
Murfreesborough, Tenn., March 23, 1865.

Brig. Gen. W. D. WHIPPLE,
Asst. Adjt. Gen., Chief of Staff, Dept. of the Cumberland:

GENERAL: The four citizens held by me as hostages for the safe return of two Union citizens (Follen and Smith) carried off by Hood's army have applied for their release, Mr. Follen having made his escape from the rebels and returned home, and Mr. Smith having died. Mr. Follen has reported to me since his return, and the accompanying copy of a letter to Mr. Smith's friends certifies his death. In anticipation of this application for the release of these hostages I mentioned the case to the general commanding when at Nashville two weeks since. He was not disposed to release them, but calculated to hold them for Union citizens still in the hands of the rebels. These facts I mentioned to the friends of the hostages, but at their earnest solicitation forward their verbal application to be set at liberty.

I am, general, very respectfully, your obedient servant,

H. P. VAN CLEVE,
Brigadier-General, Commanding Post.

HEADQUARTERS DISTRICT OF VICKSBURG,
Vicksburg, Miss., March 23, 1865.

Maj. Gen. N. J. T. DANA,
Commanding Department of the Mississippi:

GENERAL: I went out with Captain Williams yesterday to a conference with Colonel Watts. Colonel Watts claims that he did not send these men in under the contract entered into with me because of a reservation in it, but he started them upon the receipt of a dispatch from General Grant, furnished to him by General G. H. Thomas, a copy* of

*Not found as an inclosure, but it was probably Grant to Thomas, February 16, 1865, for which see Series I, Vol. XLIX, Part I, p. 725.

which I send you herewith. He says there are 9,000 en route, including those already arrived. He don't claim anything under my contract, but claims under General Grant's arrangement that the residue to be held by the captors is in their favor. He says he expects to hear every day of the delivery of prisoners to balance this lot, when he is willing to let these go. He says the camps at Andersonville and Cahaba are broken up and no rations there, and the suffering that will attend the turning of them back will be without a parallel. There being a gap between the Cahaba and Andersonville lots of about a week, we can hear from you in time to stop all that are now the other side of Jackson. It is my opinion, general, that at least one-fourth of them will die and be killed if they are turned back. They won't let them know they are to be turned back till they get force enough to shoot all who try to escape. The public service cannot suffer by keeping them here a few days. I send this by an officer, and also Captain Williams' letter, and await your decision.

I am, general, very respectfully, your obedient servant,

M. L. SMITH,
Brigadier-General of Volunteers.

JOINT RESOLUTION of request to the Secretary of War to secure the release of certain unarmed citizens of this Commonwealth from rebel imprisonment.

Whereas, during the battle of Gettysburg certain unarmed citizens of this Commonwealth were captured by the rebel forces, taken to Richmond, and afterward sent to Salisbury, where they yet remain in close confinement in rebel prisons: Therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the Secretary of War be respectfully requested to use his utmost official exertions to secure the release of J. Crawford Gwinn, Alexander Harper, George Codori, William Harper, Samuel Sitzer, George Patterson, George Arendt, and Emanuel Trostle, and such other civilians, citizens of Pennsylvania, as may now be in the hands of the rebel authorities, from rebel imprisonment and have them returned to their respective homes in Pennsylvania.

A. G. OLMSTEAD,
Speaker of the House of Representatives.
WM. J. TUNELL,
Speaker of the Senate.

[Indorsement.]

Approved the 23d day of March, A. D. 1865.

A. G. CURTIN.

TALLAHASSEE, [*March*] *23, 1865.* (Via Columbia.)

Hon. J. C. BRECKINRIDGE:

General Scammon, commanding U. S. forces at Jacksonville, Fla., agrees to receive and receipt for prisoners of war paroled for exchange. Would it not be well to hurry forward those at Andersonville to Jacksonville as rapidly as possible? I have telegraphed Pillow.

SAM. JONES,
Major-General.

RICHMOND, *March 24, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Lieut. John T. Stevenson, Second Missouri Infantry, is now and has been a prisoner at Johnson's Island since August 15, 1862. He was captured at Versailles, Ky. You are aware that by the agreement of exchange entered into between Lieutenant-Colonel Ludlow and myself on the 10th of January, 1863, "all officers and men captured in Kentucky, &c., up to December 10, 1862, were declared exchanged." It was further agreed that if any such were in Federal prisons they should be released. I therefore ask that Lieutenant Stevenson be delivered without any unnecessary delay.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 24, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: There are three naval officers now at Fort Warren. Lieut. R. H. Gayle and a boatswain and engineer of the Alabama. I will be obliged to you if you will cause them to be delivered.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HEADQUARTERS C. S. MILITARY PRISONS,
Macon, March 24, 1865.

OFFICER COMMANDING FEDERAL FORCES, *Jacksonville, Fla.:*

Under an agreement for the exchange of prisoners of war recently entered into between Lieutenant-General Grant, commanding U. S. Army, and the authorities of the Confederate Government, which is now being rapidly carried into effect in the eastern portion of the States, I propose to deliver a portion of the Andersonville prisoners at Jacksonville, Fla. The object of this communication is to ascertain if you will receive them there and receipt for them as paroled prisoners for exchange. The route of travel to that point will be less fatiguing to the Federal prisoners than any other at present open. Capt. John C. Rutherford, the bearer of this communication, is directed to deliver it and to bring me your answer. I will make every necessary preparation for the comfort of the prisoners during the trip which is possible. Please let me have your answer as promptly as practicable.

Respectfully,

GID. J. PILLOW,
Brig. Gen. and Commissary-General of Prisoners, C. S. Army.

SPECIAL ORDERS, No. 69. ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, March 24, 1865.*

* * * * * * *

VII. Brig. Gen. Daniel Ruggles, Provisional Army, C. S., is constituted Commissary-General of Prisoners, and will at once enter upon

his duties as designated in paragraphs I, II, and III, General Orders, No. 84, 1864.

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By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

WASHINGTON, *March 25, 1865—1.15 p. m.*

Lieutenant-General GRANT:

The rebel officers reported by Mr. Ould as wearing ball and chain at Alton are not in close confinement. They are not now, nor have they been, wearing ball and chain, but they are sentenced to confinement for various periods. Shall they be forwarded for exchange?

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *March 25, 1865.*

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

Forward all men referred to in your dispatch of 1.15 p. m. for exchange.

U. S. GRANT,
Lieutenant-General.

FORT LAFAYETTE, *March 25, 1865—6 a. m.*

Major-General DIX,
Headquarters Department of the East, New York:

SIR: I have the honor to report that last night, about half after 10 o'clock, I visited Kennedy, taking with me Mr. Howard, of the New York Times. After some conversation relative to the matter for which he has been sentenced, he made the following confession. He requested that I would make no use of his confession to his detriment, in case a respite or reprieve should be received. * * *

I have the honor to remain, respectfully, your obedient servant,

MARTIN BURKE,
Lieutenant-Colonel, Commanding.

Confession of Robert C. Kennedy.

After my escape from Johnson's Island I went to Canada, where I met a number of Confederates. They asked me if I was willing to go on an expedition. I replied, "Yes; if it is in the service of my country." They said, "It's all right," but gave no intimation of its nature, nor did I ask for any. I was then sent to New York, where I staid some time. There were eight men in our party, of whom two fled to Canada. After we had been in New York three weeks we were told that the object of the expedition was to retaliate on the North for the atrocities in the Shenandoah Valley. It was designed to set fire to the city on the night of the Presidential election, but the phosphorus was not ready and it was put off until the 25th of November. I was stopping at the Belmont House, but moved into Prince street. I set fire to four

places—Barnum's Museum, Lovejoy's Hotel, Tammany Hotel, and the New England House. The others only started fires in the house where each was lodging and then ran off. Had they all done as I did we would have had thirty-two fires and played a huge joke on the fire department. I know that I am to be hung for setting fire to Barnum's Museum, but that was only a joke. I had no idea of doing it. I had been drinking and went in there with a friend, and, just to scare the people, I emptied a bottle of phosphorus on the floor. We knew it wouldn't set fire to the wood, for we had tried it before, and at one time concluded to give the whole thing up.

There was no fiendishness about it. After setting fire to my four places I walked the streets all night and went to the Exchange Hotel early in the morning. We all met there that morning and the next night. My friend and I had rooms there, but we sat in the office nearly all the time reading the papers, while we were watched by the detectives of whom the hotel was full. I expected to die then, and if I had it would have been all right; but now it seems rather hard. I escaped to Canada, and was glad enough when I crossed the bridge in safety.

I desired, however, to return to my command, and started with my friend for the Confederacy via Detroit. Just before entering the city he received an intimation that the detectives were on the lookout for us, and, giving me a signal, he jumped from the cars. I didn't notice the signal, but kept on and was arrested in the depot.

I wish to say that killing women and children was the last thing thought of. We wanted to let the people of the North understand that there are two sides to this war, and that they can't be rolling in wealth and comfort while we at the South are bearing all the hardships and privations.

In retaliation for Sheridan's atrocities in the Shenandoah Valley we desired to destroy property, not the lives of women and children, although that would of course have followed in its train.

Done in the presence of Lieut. Col. Martin Burke.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 25, 1865.

Bvt. Brig. Gen. W. W. MORRIS,
Commanding Fort McHenry, Baltimore, Md.:

Mr. Ould reports to Lieutenant-General Grant that Capt. C. A. Marshall is confined at Fort McHenry, and that other prisoners of war are held there in close confinement. My telegrams of the 18th and 19th ultimo, by order of Lieutenant-General Grant, directed that all prisoners of war in irons or in close confinement should be forwarded for exchange. No report has been received at this office that prisoners confined as above have been forwarded, and it is therefore presumed that there were none so confined at Fort McHenry. Please inform me whether Mr. Ould has been correctly informed. The only exception which is to be made in regard to guerrillas is that they will not be forwarded for exchange till the last. I have not seen any order relieving you from the command of Fort McHenry, and therefore I continue to address you as the commanding officer. If I am in error in this please refer this letter to the officer who is in command.

I am, general, very respectfully, your obedient servant.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE ASSISTANT AGENT OF EXCHANGE,
TRANS-MISSISSIPPI DEPARTMENT,
Shreveport, March 25, 1865.

Col. CHARLES C. DWIGHT,
Commissioner of Exchange, Mil. Div. of West Mississippi:

COLONEL: A month has now elapsed since our last meeting, and as yet I have received no intimation of your readiness to complete the provisions of the cartel of July 28, 1864.

The communication of Major-General Hitchcock to Major-General Canby, commanding Military Division of West Mississippi, dated August 20, 1864, which was furnished me by your courtesy, says:

> In answer to your communication of the 4th instant, forwarding cartel agreed upon July 28, I have to inform you that the prisoners of war referred to in the second and third articles of said cartel will be placed at your disposal by Colonel Hoffman, Commissary-General of Prisoners, as soon as practicable, of which he will advise you.

Eight months have passed since signing the cartel, seven since the date of General Hitchcock's letter (quoted above), and more than a year since assurances were given that Major Shannon and others captured at Fort Butler (withheld by a cruel mistake) should be speedily returned; but up to this day the deliveries have not been made. I am unwilling to suppose that this extraordinary delay is intentional, but it would seem that, with all the facilities of communication and transportation at the command of the U. S. authorities, the return of these prisoners could have been sooner effected. I have promptly made all deliveries required of me by the cartel, and the delay upon the part of the Federal Government causes dissatisfaction to the C. S. military authorities.

My attention has often been called to statements in Northern papers where the miseries endured by Federal prisoners are described in the most exaggerated terms. If I may be allowed to reply to these articles through you, I have but to state, what I have said in previous communications, that all prisoners in the hands of the Confederate States Government receive the same rations which it issues to her own troops. It is not in her power to give many comforts. To save the discomforts incident to imprisonment I have always, as you bear me witness, endeavored to effect exchanges without delay. This is the settled policy of my Government.

Red River is falling rapidly, and future exchanges will necessarily and before long be attended with the additional delay and physical suffering of long marches through a country destitute of supplies. I trust this may be avoided by promptness on your part in the coming deliveries, in which I hope you will be able to secure the valuable co-operation of Major-General Canby.

I regret to learn from a communication of Brevet Brigadier-General Hoffman, Commissary-General of Prisoners, U. S. Army, through Major-General Magruder, C. S. Army, that up to the 3d of February no arrangement had been made for the exchange of Generals Marmaduke and Cabell. I hope, however, that the application of Major-General Canby has since been successful. Should I receive no intimation desiring an earlier interview I propose, if agreeable, a meeting at our usual rendezvous, Red River Landing, on the 8th of April next, when I will be prepared to receive such prisoners as you may have to deliver, which I trust will include Major Shannon, his companions of Fort Butler, the Helena prisoners, as well as those who have been held at Ship Island and New Orleans, either in confinement or on parole.

I am pleased to see that Admiral Buchanan has been delivered at Richmond for his equivalent. I would request that you bring with you the receipts of the Confederate agent of exchange at Mobile for the C. S. naval prisoners and the men of Fort Gaines capture, recently delivered, so that we may make a final settlement of deliveries made in order that I may properly report them at Richmond and declare those already received to be exchanged.

I have the honor to request that you will not omit to bring to our next meeting articles of clothing, &c., for the U. S. prisoners, in lieu of those which were lost *in transitu* to Camp Ford, Tex., and for which I am prepared to reimburse you.

With assurances of high esteem and consideration, I am your very obedient servant,

IG. SZYMANSKI,
Assistant Agent of Exchange, Trans-Mississippi Department.

RICHMOND, *March 25, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

SIR: I have the honor to inclose a copy of a letter which I have written to Brig. Gen. John E. Mulford, assistant U. S. agent of exchange.*

I have conversed with the nine officers referred to (Maj. De Witt C. Douglass, Capt. Thomas W. Elliott, Capt. Frank B. Gurley, Capt. Thomas B. Jordan, Capt. William H. Moore, Capt. C. E. Peacher, Capt. A. W. Ray, Lieut. Robert Y. Bridges, and Lieut. S. W. Cooley), and they confirm the statements made in the letter. They allege that the only charge against the condemned was that they were guerillas or were recruiting within what the Federals called their lines. In most of the cases the former was the charge. No notification of proceedings against them was ever given by the Federal authorities. In fact, the enemy seems to have moved as secretly as possible. I think it very doubtful whether General Mulford will be authorized to make any answer to my communication. I have taken the liberty of informing you of these matters at this time that such steps may be taken as you deem proper, either now or after a reasonable time has been given for a reply.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HEADQUARTERS, *March 25, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

I do not recommend that the paroled prisoners be declared exchanged until properly agreed upon by commissioners on both sides.

R. E. LEE.

RICHMOND, *March 25, 1865.*

Gen. R. E. LEE,
Headquarters Armies Confederate States of America:

GENERAL: The communication of L. R. Mason, relating to the treatment of Colonel Mosby's men, forwarded by you, has been received.

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*See March 22, p. 421.

I am constantly receiving men of that command, both officers and privates. I have never been informed by the Federal authorities that it is their purpose to treat them differently from other prisoners of war. I inquired of the Federal agent whether they stood on the footing of prisoners of war and his answer was that he was delivering them from time to time. Whenever I have learned that any of Mosby's command were put in close confinement or irons I have protested, and I believe that orders have been given for their relief. Those at Fort Warren, as far as treatment is concerned, since their arrival there have fared as other prisoners of war. The excuse that the enemy gave for their being carried there with handcuffs was that it was necessary to prevent their escape. Some of Mosby's men are at Fort McHenry and the action I have taken as to them is already before you. So long as Mosby's men are not put in close confinement or in irons or subjected to other unusual punishment I cannot complain that they are not all sent home for exchange.

I have been endeavoring for more than a year to persuade the Federal authorities to deliver prisoners according to the date of their capture, the oldest to have precedence. General Grant has now ordered this rule to be observed, and it would be unfortunate for us to say or do anything which would in any manner operate against that just rule. Those of Mosby's men who are now in prison are not our oldest prisoners, and if treated by the enemy as prisoners of war should await their turn. The writer (Mason) does not complain that Mosby's men are not treated as prisoners of war in Fort Warren, save that he says they are told they are not to be exchanged and that their sick were not sent off with the other sick. Every command in the army can say the latter thing. Besides, since that date I have received of Mosby's command both sick and well.

As far, then, as the Fort Warren prisoners are concerned, the case is that before their turn has come for delivery they are informed that they will be held for the war.

I will again call the attention of the Federal authorities to this matter, entering more into detail as to facts and demanding from them a formal announcement as to their purposes with reference to Mosby's command.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HENDERSON, N. C., *March 25, 1865.*

Hon. ROBERT OULD,
Commissioner of Exchange, Richmond, Va.:

Allow me to call your attention to the condition of the remaining 500 Confederate officers of the 600 that were sent to Morris Island, S. C., and placed under the fire of our own guns in August, 1864. I was one of that unfortunate party and know what they have suffered. I am sure you will agree with me that their claims are greater, and should be considered first by the Government. A large majority have been in prison from twenty months to two years, and during their stay in captivity have suffered in the last seven months more than they would have done in two years in the Northern prisons, and in the name of humanity I appeal to you to exchange those that are sick. I left Lieut. Col. T. L. Hargrove, Forty-fourth North Carolina Infantry, in very delicate health at Fort Pulaski, Ga., and unless he is exchanged soon will fall a victim

to death in prison. He was captured on the 26th of June, 1863, at South Anna Bridge, Va., where he made a determined stand against overwhelming numbers. He is a young lawyer of promise and one of the most influential men in his county and district, and if you can procure for him an exchange you will [do] his parents and friends a favor that gratitude cannot repay. He is a man for the times, and can accomplish more good for our cause than any one in this vicinity. Hoping that you will favor the colonel with an early exchange, and all those with him,

I am, colonel, yours, very respectfully,

SAML. J. PARHAM,
Captain Company K, Fifty-fourth North Carolina Troops.

GENERAL ORDERS, } HDQRS. COM. GENERAL OF PRISONERS,
No. 1. } *Richmond, March 25, 1865.*

I. In conformity with paragraph VII, Special Orders, No. 69, dated Adjutant and Inspector General's Office, Richmond, Va., March 24, 1865, the undersigned enters upon the duties of Commissary-General of Prisoners.

II. Existing orders, regulations, and instructions will remain in full force until abrogated.

III. The following staff officers and their stations are announced:

1. Capt. R. M. Hooe, assistant adjutant-general, chief of staff, headquarters, Augusta, Ga.

2. Capt. W. S. Winder, assistant adjutant-general, headquarters, Augusta, Ga.; temporarily, Salisbury, N. C.

3. Capt. R. B. Winder, chief quartermaster, headquarters, Augusta, Ga.

4. Surg. I. H. White, chief surgeon, headquarters, Augusta, Ga.

5. First Lieut. M. B. Ruggles, aide-de-camp.

IV. Headquarters are hereby established at Augusta, Ga., and all returns, reports, and communications for the Commissary-General of Prisoners will be made to the chiefs of the respective staff departments.

V. Maj. E. Griswold, assistant adjutant-general, is assigned to duty at Richmond, Va., as staff officer, to whom the transaction of all local business requiring the official action of the Commissary-General of Prisoners is under special instructions intrusted.

DANIEL RUGGLES,
Commissary-General of Prisoners.

HEADQUARTERS C. S. MILITARY PRISONS,
Macon, March 26, 1865.

The U. S. COMMISSARY-GENERAL OF PRISONERS:

It is a high Christian duty of Governments to treat prisoners of war with kindness and to make them as comfortable as the hardships of war will allow.

I propose the adoption of a mutual system of kind treatment to prisoners of war.

Circumstances beyond the control of my Government prevented proper provisions for the great number of prisoners accumulated in its hands. This produced exasperation on the part of your Government in the treatment of our men.

It would be productive of no good result to attempt to discuss the question of responsibility. I am persuaded that both Governments

would be pleased with a change of practice and the adoption of a mutual system of kind treatment of prisoners. With this view I address you this communication.

The principles upon which the armies of the United States conduct this war within the territory of the Confederate States—burning its dwellings, devastating the country, destroying unharvested crops and supplies of every description, with railroads leading to and supplying military prisons—make it difficult if not impracticable for the Confederate Government to treat prisoners of war as it desires to do. Nevertheless, to effect results so important to the health, comfort, and lives of men who may become prisoners of war, I feel it my duty to make the effort, and therefore propose for the adoption of the two belligerent Governments the following stipulations, viz:

First. Each Government stipulates to select healthy localities for its military prisons, to build comfortable barracks with ample prison grounds and hospital accommodations, and to issue to their prisoners the same rations, in kind and quantity (to be agreed upon hereafter by the Commissary-Generals of Prisoners of the two armies), and to provide them with such articles of clothing, blankets, hats, and shoes as may be necessary, corresponding as nearly as practicable with the uniforms with which each clothes its soldiers in the field.

Second. That the armies, soldiers, and citizens of both Governments shall not molest or in any way interfere with military prisons when established and the Governments notified thereof. It must be obvious that if this is not agreed to, upon the approach of either army threatening the safety of the prisoners they will be removed, and all the arrangements made for their comfort and health at great expense will be lost, and as a consequence the prisoners must suffer.

Third. That the Confederate Commissary-General of Prisoners be allowed (if necessary) to ship cotton to the markets of the United States, or other foreign markets, to purchase for Federal prisoners in our hands subsistence, clothing, blankets, shoes, hats, hospital and medical stores, in quantities sufficient for Federal prisoners, and to provide in advance, to be kept in prison depots, such supplies for 10,000 prisoners. To give this stipulation practical value, these supplies must not be interfered with while *in transitu* or in prison depots, nor must railroads leading from the ports of entry to the prisons be broken up, or the running of cars interfered with while engaged in the transportation of such supplies. The Confederate Commissary-General must have authority to appoint an agent in the United States to dispose of the cotton and purchase and ship the supplies. The shipment of cotton to the markets of the United States and the export of the supplies above specified, and their entry into Southern ports, must be free from import and export duties, as they are made for the exclusive benefit of Federal prisoners of war.

Fourth. The Confederate Government stipulates that through its Commissary-General of Prisoners it will apply all the supplies purchased to their wants, and to no other use.

Without adequate preparation for the reception of the large number of prisoners unexpectedly accumulated in the hands of the Confederate Government (owing to the suspension of the exchange of prisoners) it is probable that, with every effort on its part to provide adequately for them, there was suffering. It is equally certain that, without appreciating the embarrassments thus occasioned my Government, yours, by harsh retaliatory measures, has inflicted great suffering upon our men in your hands.

The events of this war in the future may repeat these sufferings if some such system as that now proposed be not adopted. These brave men are but doing what they consider their duty to their respective Governments, and it is a duty alike to the cause of humanity, to the character of both Governments, and to the Great Ruler of Nations, to whom both Governments appeal for the rectitude of their actions, to put an end to a practice they both condemn.

If any other plan can be suggested effecting the object sought of mutual kind treatment of prisoners of war it will receive the support and approval of the Confederate Government. As both Governments are now emptying their prisons by exchanges, the present moment is favorable for the adoption of the system proposed.

In the hope, general, that this communication will receive your respectful consideration and early attention,

I am your obedient servant,

GID. J. PILLOW,
Brig. Gen. and Commissary-General of Prisoners, C. S. Army.

WASHINGTON CITY, D. C., *March 27, 1865.*

Lieut. Gen. U. S. GRANT, *General-in-Chief:*

SIR: I find through General Hoffman, Commissary-General of Prisoners, that we have been delivering many more prisoners of war than we have any account of having received, to wit, 24,200 to 16,700.

I understand from General Hoffman that in all cases the prisoners we send are accompanied by proper rolls, duly authenticated, but that many parties of prisoners arrived at Annapolis without any rolls whatever, and their number is there ascertained by our own inspections. Here, as it appears to me, are two sources of difficulty. The correction of one of them is to suspend further deliveries until we receive equivalents; the other is to require rolls to be delivered with the prisoners, and in failure to receive them Judge Ould should be given to understand that we must claim the right to appeal to our own inspections in determining the number sent from the other side.

Respectfully submitted by your obedient servant,

E. A. HITCHCOCK,
Major-General of Volunteers.

WASHINGTON, D. C., *March 27, 1865.*

Lieut. Gen. U. S. GRANT,
Commanding U. S. Army, City Point, Va.:

Since the 1st of February 16,700 paroled prisoners of war have arrived at Annapolis; 24,200 rebel prisoners of war have been delivered through General Mulford. Shall I continue to send them forward?

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

CITY POINT, VA., *March 27, 1865.*

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

I presume a large number of our prisoners are yet to arrive from Wilmington, and also from the Mississippi River. You may, however,

discontinue the deliveries of rebel prisoners except so fast as the steamer New York can bring them. Discharge all other vessels engaged in the business.

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 27, 1865.

AMOS PILSBURY, Esq.,
Superintendent Albany Penitentiary, Albany, N. Y.:

SIR: By authority of the Secretary of War I am directed by the Commissary-General of Prisoners to request that Hammond Claude, private, Company C, First Maryland Cavalry, now confined at Albany penitentiary, and William H. Rodgers, if still in confinement, held under the same circumstances with Samuel B. Hearn, Braxton Lyon, and John R. H. Embert, who were recently released and forwarded for exchange, be transferred to Fort McHenry, Baltimore, Md., and turned over to the commanding officer of the post, to be sent with first party going from there for exchange. If there are any other prisoners under your charge of the class mentioned and held under similar circumstances you are respectfully requested to make special report of their cases to this office, giving charges in each case, nature of sentence, and by whose order confined. Please report your action in the case of Claude and Rogers.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

HEADQUARTERS MILITARY DISTRICT OF FLORIDA,
Tallahassee, March 27, 1865.

Brig. Gen. E. P. SCAMMON,
Commanding Fourth Separate Brigade, Jacksonville, Fla.:

GENERAL: This will be carried to your outpost by Capt. John C. Rutherford, C. S. Army, under flag of truce. He is the bearer of a letter from Brigadier-General Pillow, Commissary-General of Prisoners, C. S. Army, addressed to the officer commanding Federal Forces, Jacksonville.* Captain Rutherford is also charged with the duty of paroling and sending within the lines occupied by the U. S. troops for exchange the prisoners of war held by the Confederate States and now confined within certain States, Georgia and Florida among others. This exchange is in accordance with terms agreed on between Lieutenant-General Grant, commanding Armies of the United States, and the proper authorities of the Confederate States. Under existing circumstances the prisoners in Georgia and in this State can be delivered more conveniently and comfortably to themselves at Jacksonville than Mobile.

If you will receive the prisoners and receipt for them as paroled prisoners for exchange I will do all in my power to send them without delay to Jacksonville.

I am, very respectfully, &c.,

SAM. JONES,
Major-General.

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*See Pillow to Commanding Officer, &c., March 24, p. 427.

HEADQUARTERS C. S. MILITARY PRISONS,
Danville, March 27, 1865.

Brigadier-General RUGGLES,
Commissary-General of Prisoners, Richmond:

GENERAL: I have the honor to acknowledge receipt of your dispatch of the 25th asking what number of Federal prisoners is under my command, to which I replied that there were 583 prisoners here awaiting transportation. Since this telegram was sent 180 have arrived. Captain Waller, chief quartermaster, informs me that he cannot furnish trains, as the Quartermaster-General has ordered him to transport provisions and hold prisoners here. Should there be any immediate necessity for these prisoners to be sent on for exchange, it would be incumbent upon you to procure an order from headquarters at Richmond, as I cannot impress trains at this point.

Awaiting your orders on this subject,

I am, general, very respectfully, your obedient servant,

ROBERT C. SMITH,
Lieutenant-Colonel, Commanding.

JACKSON, MISS., *March 27, 1865.*

Lieut. Gen. R. TAYLOR, *Commanding, Meridian:*

GENERAL: Humanity, simply humanity, caused me to commit this breach of etiquette. I hope the same feeling will prompt you to forgive. The Federal prisoners could not have attention in the hospitals at this place; they were dying on the roadside with no food and no one to feed them. The Federals offered to send fifteen ambulances and nineteen wagons under our guard (feeding horses and men) to relieve the suffering of their men. They sent their chief surgeon with me, under parole of honor to see nothing and say nothing, this same surgeon having been in every raid the Yankees had made and could learn nothing of roads or persons that he did not already know. These ambulances, with your sanction, are to keep running, not only for their prisoners but ours, until the present exchange is over.

I am, general, your obedient servant,

N. G. WATTS,
Colonel and Agent.

SALISBURY, N. C., *March 27, 1865.*

Col. H. FORNO:

COLONEL: At your request I cheerfully furnish you the following statement, to wit: On the afternoon of the 14th of February last I was directed by you to see Capt. T. R. Sharp, transportation agent, as to providing cars for the removal of the balance of Federal prisoners from Columbia, S. C. I did so, and Captain Sharp informed me that the cars would be at the depot and ready for the prisoners in less than one hour from the time he spoke to me. I reported what Captain Sharp had said to you, and you directed me to inform Major Griswold and to tell him to move the prisoners at once, and I did so. I went first to Mr. J. A. Bowen's (sutler) house, where Major Griswold was staying, and not finding Major Griswold there I went to the Asylum Prison and found him forming his command. I informed him that you had directed me to tell him what Captain Sharp had said, and to move

the prisoners accordingly, and he said he knew it already and was then preparing to remove the prisoners.

Respectfully, your obedient servant,

J. S. RICHARDSON,
Captain and Assistant Quartermaster.

WASHINGTON, D. C., *March 28, 1865.*

Bvt. Brig. Gen. J. E. MULFORD,
Agent for Exchange, Fort Monroe, Va.:

GENERAL: It is reported to this office by officers who conduct prisoners of war to City Point for exchange that they are delivered to the enemy without calling their names, and that you decline giving a receipt for them according to grades. If these reports are true it will be impossible to know what prisoners have been releasd on parole or what the aggregate number will be when reduced to privates. I have therefore to request that no prisoners may be delivered without calling the roll which accompanies them, and that on it a note may be made opposite the name of every absent prisoner, showing what has become of him. This roll, forwarded immediately to this office, will account for all the prisoners, but unless you keep a memorandum of the number, according to grades, of each delivery you will not be able at any time to arrange an exchange. Please forward immediately all rolls in your possession of rebel prisoners delivered on parole.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

VARINA, [*March*] *28, 1865.*

Brigadier-General HOFFMAN,
Commissary-General of Prisoners:

I am informed by Mr. Ould that there are now at the South, east of the Mississippi, about 10,000 men whom he has sent an officer to deliver to our authorities at or near Mobile. They hold outside of that number in and about Richmond and North Carolina about 2,000, including the recent captures before Petersburg. All are to be released at once.

JNO. E. MULFORD,
Brevet Brigadier-General.

WASHINGTON, D. C., *March 28, 1865.*

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: I have received from Maj. Gen. E. A. Hitchcock, commissioner for exchange, a list of Federal officers and men, prisoners of war, who were delivered by the enemy on parole at Baton Rouge and who have since been exchanged, on the 4th instant, by the delivery of equivalents at Mobile, Ala. The list is furnished to General Hitchcock by Colonel Dwight, agent for exchange, Military Division of West Mississippi. It is not made on the blanks furnished from this office, nor does it give the place or time of capture, nor is any list furnished of the equivalents exchanged for whom these prisoners were exchanged. In order to keep up the records of this office it is necessary that a complete history of all prisoners delivered to us on parole by the enemy and

of all prisoners captured by us should be furnished and also full lists of all prisoners exchanged, both Federal and rebel. The original rolls delivered by the enemy with paroled prisoners, which must be the guide in effecting exchanges, should be sent to this office. It is desirable that the blanks provided by this office should be used, because the headings suggest the information required, and by using them the omission of any item will be less likely to occur. May I request, general, that you will give the necessary orders to insure that the instructions which have been given in relation to reporting prisoners of war may be fully carried out.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

RICHMOND, *March 28, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I have delivered to you all the officers and crews of vessels belonging to the merchant or transport service of the United States, including even those who were engaged in private trade. I have also delivered all parties who were found on such vessels, whether they were supercargoes or passengers. As yet I have received none of the same class, of which there are many in your prisons. I respectfully call your attention to this fact, that you may adopt speedy measures for the delivery of the parties named.

Respectfully, your obedient servant,

RO. OULD,

Agent of Exchange.

RICHMOND, *March 28, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Col. R. J. Breckinridge, a regularly commissioned officer of the Confederate service, and who at the time of his capture was acting under orders, is confined in the penitentiary at Columbus, Ohio, in a cell. He was forwarded from the military prison at Louisville to Columbus a short time ago.

Will you inform me why our officers are treated in this manner, and whether it is the intention of your authorities to inflict upon Colonel Breckinridge a felon's punishment?

Respectfully, your obedient servant,

RO. OULD,

Agent of Exchange.

RICHMOND, *March 28, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: I again call your attention to the case of Col. John H. Winston, a Confederate officer, who has been sentenced to ten years' imprisonment at Alton with hard labor and ball and chain. No response has been made to the three letters which I have heretofore written in relation to his case. I hope I am not unreasonable in requesting a reply. He has already served out fifteen months of the sentence. If any officer comes

within the scope of our agreement he certainly does. Why is he excepted?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 28, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Lieutenant Brown, of Kitchen's regiment of Missouri cavalry, while in discharge of his duty under written orders was captured in August, 1863, tried before a military court without any opportunities of defense being given, and sentenced to hard labor with ball and chain at Alton penitentiary during the war. He has already served out some sixteen months of his sentence. I have heretofore called your attention to this case without any favorable result. There are other officers and soldiers of the Confederate Army undergoing similar punishment. I hope it will not be necessary to bring to your notice any of these cases again.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 28, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: The following-named Confederate soldiers are now confined at Fort Warren, to wit: Robert H. Caldwell, Sixty-third Georgia, captured July 21, 1863; William Gantz (or Gautz), of Spate's [Spaight's] battalion, captured April 10, 1863; Matthew A. Beck, Ninth Florida, captured June 3, 1863; John P. Johns, Ninth Florida, captured May 31, 1863; John Wilson, Ninth Florida, captured May 31, 1863; Thomas W. Day, Ninth Florida, captured May 31, 1863; William D. Archer, Ninth Florida, captured April 12, 1863. You perceive that all these soldiers have been in captivity for a long time. I understand they are held as naval prisoners, though in fact they belong to the Confederate Army. It is probable they were captured by the U. S. Navy, and for that reason are so held. I will thank you to deliver these men as soon as you conveniently can. They are entitled to release on the score of their long confinement.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

OFFICE SUPT. AND INSPECTOR OF MILITARY PRISONS,
Saint Louis, Mo., March 28, 1865.

Col. J. H. BAKER,
Provost-Marshal-General, Department of the Missouri:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending March 27, 1865:

Conduct—good. Cleanliness—very good. Clothing—sufficient. Bedding—clean. State of quarters—clean. State of mess-houses—satisfactory. State of kitchen—old and damp, but clean. Food, quality

of—good. Food, quantity of—sufficient. Water—plenty. Sinks—pretty clean. Police of grounds—good. Drainage—good. Police of hospital—very good. Attendance of sick—same. Hospital diet—first rate. General health of prisoners—improving. Vigilance of guard—no complaints.

Remarks and suggestions.—I have the honor to inclose herewith the estimate of the cost for the necessary repairs at Myrtle Street Prison mentioned in my special report of March 18. Most of these repairs are absolutely necessary, and some ought to be commenced with at once. It is a matter of course that all the work that can possibly be done by prisoners, as whitewashing and the necessary assistance for the paving, will be done by prisoners; and while these repairs are going on I shall carefully try to economize wherever it is possible, as well as if it was to be paid by myself.

Very respectfully, your obedient servant,

GUST. HEINRICHS,

Lieut. Col. Forty-first Missouri Infantry and Inspecting Officer.

[Indorsement.]

In forwarding approved this report of Lieutenant Colonel Heinrichs I desire to state that I consider the repairs estimated for in the inclosed paper* very necessary, and respectfully ask that the order be given. At the Myrtle Street Prison there have been no repairs or improvements. It was originally a slave-pen, and a poor place at the best. The prison is in the heart of the city, and it is almost certain that if these repairs are not made as warm weather approaches there will be much sickness. The bunks and the floor are almost entirely worn out, and the pavements of the yard have been upheaved by the spring frosts. It is greatly hoped that these little jobs will be allowed. If the work can be done any lower than the estimate it will be.

Respectfully referred to the Commissary-General of Prisoners.

J. H. BAKER,

Col. Tenth Minn. Infty., Pro. Mar. Gen., Dept. of the Missouri.

HDQRS. DISTRICT OF KEY WEST AND TORTUGAS,
Key West, Fla., March 28, 1865.

Maj. Gen. SAM. JONES,
Commanding Confederate Forces, Tallahassee, Fla.:

SIR: Your proposal for exchange of prisoners, dated March 17, 1865, and addressed to "the officer commanding U. S. Blockading Squadron off Saint Mark's," has been by him referred to me. I shall refer this proposal to Major General Canby, at New Orleans, at the earliest moment and communicate to you the result. In the meantime I have to inquire, first, whether black soldiers of the U. S. Army, prisoners of war in your hands, have been put to work for the benefit of your Government and troops, and are now so kept? Second. Whether Strickland and another enlisted man of the Second Florida Cavalry, United States, have been put to death by your authority after capture, and for what cause? Third. Whether Lieutenant Wilson, Ninety-ninth U. S. Colored Infantry, captured with a small party of his men on the 7th instant, has been, with his men, treated as prisoners of war? It is under testimony that Lieutenant Wilson's life was threatened, and several

* Omitted.

colored soldiers wounded or unable to evade pursuit were murdered in cold blood, by the cavalry under your command. I hope for the sake of humanity that these questions may be satisfactorily answered.

I am, very respectfully, your obedient servant,

JOHN NEWTON,
Brigadier-General, Commanding.

HEADQUARTERS DISTRICT OF FLORIDA,
March 28, 1865.

Brig. Gen. JOHN NEWTON,
Commanding U. S. Forces, Key West:

GENERAL: Under an agreement entered into between Lieutenant-General Grant, commanding Armies of the United States, and the Government of the Confederate States, an exchange of prisoners is now going on at various points. There is now in this State an officer of the C. S. Army charged with the duty of paroling prisoners of war and sending them into the lines occupied by U. S. forces for exchange. A portion of the prisoners to be exchanged are in the State of Georgia. They can be delivered within your lines off the light-house near Saint Mark's River with far greater comfort and convenience to themselves than at Mobile, one of the points of exchange agreed upon. I therefore purpose to deliver them to any officer you may designate to receive them, provided you will receipt for them as paroled prisoners to be exchanged. By assenting to this proposition you will relieve from captivity a number of your men much sooner than it can be done otherwise. An early and favorable reply to this will relieve your prisoners from a long and tedious march.

Very respectfully, your obedient servant,

SAM. JONES,
Major-General, Commanding.

[Indorsement.]

HDQRS. DISTRICT OF KEY WEST AND TORTUGAS,
April 11, 1865.

The within proposition of Major-General Jones, C. S. Army, appears to me worthy of acceptance. I respectfully ask for instructions.

JOHN NEWTON,
Brigadier-General, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Richmond, Va., March 28, 1865.

General S. COOPER,
Adjutant and Inspector General C. S. Army:

GENERAL: I have the honor to request information touching the limits of jurisdiction of the Commissary-General of Prisoners and the commissioner of exchange covering the authority to direct modes of confinement, restraint, and imprisonment not usual in the management of prisoners of war.

First. Has the commissioner of exchange the authority in his own name to direct the place and mode of confinement of prisoners of war and give special instructions as to treatment in any or in exceptional cases?

Second. If not, has any other officer than the commanding general of an army in the field, under the authority of the Secretary of War, any such authority, except the immediate commanders of prisoners connected with the enforcement and maintenance of discipline under the orders of the Commissary-General of Prisoners and the sanction of the Secretary of War?

DANIEL RUGGLES,
Brigadier-General, Commissary-General of Prisoners of War.

HEADQUARTERS, *March 28, 1865.*

Hon. J. C. BRECKINRIDGE, *Secretary of War:*

Is there any prospect of the exchange of General Edward Johnson?

R. E. LEE.

[Indorsement.]

The enemy are now making deliveries according to date of capture, in compliance with what I have been urging for more than a year. If this rule is adhered to it will be a tolerably long time before General Ed. Johnson is delivered. I do not think it would be good policy to interfere with the rule if we can avoid it.

RO. OULD,
Agent of Exchange.

SALISBURY, N. C., *March 28, 1865.*

Col. H. FORNO, *Commanding Prisoners:*

In obedience to your request I make you a statement of the manner in which the Federal prison at Columbia, S. C., was conducted. I was ordered to report for duty to Maj. E. Griswold by Brigadier-General Winder on the 24th day of January, 1865, and was assigned to duty as commandant of interior prison.

On examination I found that the roll was imperfect and that twenty-five prisoners were in the prison whose names were not on the book or roll, and was endeavoring to obtain a correct roll when the order was given to remove the prisoners to Charlotte, N. C. I left Columbia with 500 Federal officers on the 15th and arrived at Charlotte on the 16th of February. I encamped in a field about one mile and a half from town, and on account of the inefficiency of the guard fifteen of the officers made their escape that night, nine of whom were recaptured. On the 17th of February Major Griswold arrived with the remainder of the prisoners from Columbia. He (Major Griswold) sent for me about 8 p. m. He said he was sick and must go to town, and left Mr. J. D. Jones with the prisoners in the cars. I advised him to do so, as it was quite dark, and to remove them would be allowing them greater opportunities to escape, with so small and inefficient a guard. Early the next morning I went to the cars, and I missed quite a number of prisoners whom I had left in Columbia. On inquiry I learned that they had made their escape at Columbia the night before Major Griswold left by secreting themselves in the roof of the building. I sent to Charlotte to inform Major Griswold that it was necessary for him to be at camp, when I received a note from him stating that he was too unwell and that I must do my best. I then took the prisoners out and marched them to the camp. You arrived at camp about that time and ordered

all the guard to go out and leave their baggage with a small guard. A number made their escape from camp. Some were afterward captured and brought back. On the next day Major Griswold came out to camp and took the command, and said to me that Colonel Forno had ordered him out of town and go and stay at camp, which he did during the day, but always returned to town at night.

A day or two afterward I received an order from Major Griswold to have the prisoners ready for shipment. This duty was performed, sending as many guards as could be spared with each detachment, and left Charlotte with the last 100, accompanied by Capt. S. T. Bayly, assistant adjutant-general, but no guard. When about twelve miles from Charlotte the engine broke down and I was detained four days. Sending off by the passing trains as many officers (Federal) as could get on the trains, on the fourth day I arrived with the last who were in my charge at Goldsborough. I there found Major Griswold in command and I delivered the prisoners to him, and remained with him, subject to his order, until all were sent forward.

There were no reports made from the prison at Columbia, morning or otherwise, during the time I served as commandant of the interior of prison, and Major Griswold usually came to the prison about 10 o'clock in the forenoon and remained about two hours, and but seldom in the afternoon.

THOS. R. STEWART,
Captain Company G, Second Maryland Infantry.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 29, 1865.

Lieutenant-General GRANT,
Commanding U. S. Armies, City Point, Va.:

Mr. Ould thinks he has 10,000 prisoners to deliver at Mobile and 2,000 in Richmond and North Carolina. Since the 25th of November, 1864, when the last declaration of exchange was made, we have delivered of all grades 4,000 more prisoners than we have received. I respectfully suggest that no more be delivered until the balance is made up.

W. HOFFMAN,
Commissary-General of Prisoners.

WASHINGTON, *March 29, 1865.*

General HOFFMAN:

SIR: I have thought since I talked with you that inasmuch as the Secretary of War has placed the subject of exchanges under the control of Lieutenant-General Grant it would be more proper to request an inspection of the state of exchanges at Fort Monroe by some officer designated by General Grant. I request you to make a memorandum of the points to which attention should be called, and, connecting it with this note, send the papers to General Grant, who will, if he thinks it necessary, designate some proper staff or other officer to obtain and report the information required.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 29, 1865.

Hon. SAMUEL GALLOWAY,
Special Commissioner, Camp Chase, Columbus, Ohio:

SIR: Your report (No. 1898) in the case of Lewis H. Baker, a prisoner of war at Camp Chase, recommending his release on taking the oath of allegiance, together with your note of February 9, 1865, addressed to his brother, in which you instruct him what course to take in order to secure favorable action on the report, have been laid before the Secretary of War and the discharge is not granted. I am directed by the War Department, through Major General Hitchcock, to instruct you not to examine or report upon the case of any military prisoner which has not been submitted to you for examination by the War Department. In any case, you are not expected to take any personal interest in the matters brought before you, but simply to report the facts for the information of the Secretary of War.

Very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., March 29, 1865.

Maj. Gen. SAM. JONES,
Commanding Confederate Forces in Florida:

GENERAL: Although I have received no instructions in reference to exchanges, I will not hesitate to receive the prisoners whom you propose to parole for exchange, and receipt therefor.

I am, very respectfully, your obedient servant,

E. P. SCAMMON,
Brigadier-General, Commanding.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., March 29, 1865.

Captain BURGER,
Assistant Adjutant-General, Department of the South:

SIR: I inclose copies of letters received by flag of truce this morning* and my reply thereto.† I trust I have not gone wrong in the reply sent to General Jones.

If the Andersonville prisoners are received here it will be necessary to send commissary stores and clothing to this place at once.

Very respectfully, your obedient servant,

E. P. SCAMMON,
Brigadier-General.

[Indorsement.]

APRIL 3, 1865.

Respectfully forwarded to Lieutenant-General Grant and attention invited to a copy of my reply to Brigadier-General Scammon, herewith inclosed.‡ Instructions concerning this matter are requested.

Q. A. GILLMORE,
Major-General, Commanding.

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*See Pillow to commanding officer, &c., March 24, p. 427, and Jones to Scammon, March 27, p. 436.

†Next, *ante*.

‡See April 3, p. 465.

CONFEDERATE STATES OF AMERICA, WAR DEPARTMENT,
Richmond, Va., March 29, 1865.

General R. E. LEE:

GENERAL: Judge Ould replies that the enemy are making deliveries according to date of capture in compliance with what he has been urging for more than a year. If this rule be adhered to it will be a tolerably long time before General Johnson is delivered. He does not think it would be good policy to interfere with the rule if we can avoid it.

JOHN C. BRECKINRIDGE,
Secretary of War.

SALISBURY, N. C., *March 29, 1865.*

Col. W. H. HATCH, *Assistant Commissioner of Exchange:*

COLONEL: I forwarded some time ago, according to orders received, the funds remaining in my hands belonging to Federal prisoners of war, with a statement showing to whom they belonged and the amounts and kind of moneys they were due in. These—the funds and the statement—were forwarded by Capt. T. R. Stewart. I see by a receipt from yourself that he failed to deliver the gold. I turned over to him $195.50. Be pleased to inform me whether the statement I forwarded remained intact and called for $374 in gold, and also what arrangement is proposed to be made in reference to the deficiency. Having had these matters in charge, and being the one to whom the Federals will look for the amounts they left in my hands, I, of course, feel some interest in the matter. I was opposed to giving up these funds to any other, and especially to an unbonded officer, but was compelled to do so by orders from Colonel Forno.

Please address your reply to the care of Col. J. G. Tucker, First Regiment Pioneer Corps, General Johnston's army, Raleigh, N. C.

Respectfully, your obedient servant,

J. S. RICHARDSON,
Captain and Assistant Quartermaster.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
March 30, 1865.

Lieutenant-General GRANT, *City Point:*

General Howell Cobb, of the Confederate Army, desires to deliver to me over 5,000 Union prisoners, and I shall receive them on and after the 8th of March [April], unless I get orders on the subject. The papers relating to it are sent by mail.

Your obedient servant,

Q. A. GILLMORE,
Major-General.

CITY POINT, VA., *March 30, 1865.*

Brig. Gen. JOHN E. MULFORD:

How many prisoners are you receiving from the North on an average daily? Are they coming too fast? Hitchcock and Hoffman represent that we have delivered over 4,000 more than we have received.

T. S. BOWERS,
Assistant Adjutant-General.

VARINA, VA., *March 30, 1865.*

Col. T. S. BOWERS, *Assistant Adjutant-General, City Point, Va.:*

Arrivals of late have been slow; less than 1,600 during the past week. Generals Hitchcock and Hoffman do not take into account the balance of near 8,000 due the enemy on the Savannah and Charleston delivery, which were to be made up here. Deliveries are also being made in the South by the enemy, though to what extent I am unaware.

JNO. E. MULFORD,
Brevet Brigadier-General, &c.

GENERAL ORDERS, No. 18. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., March 30, 1865.*

I. Paragraph II, General Orders, No. 6, current series, is hereby revoked, and Brig. Gen. Daniel Ruggles, Provisional Army, C. S., is constituted Commissary-General of Prisoners, and will at once enter upon his duties as designated in paragraphs I, II, and III, General Orders, No. 84, of 1864.

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By order:

S. COOPER,
Adjutant and Inspector General.

RICHMOND, VA., [*March*] *30, 1865.*

Capt. W. S. WINDER,
Assistant Adjutant-General, Salisbury, N. C.:

Carry out existing orders and confer with commanders of military prisons to insure security of prisoners of war under their charge. Report by telegram and letter matters of pressing importance.

DANIEL RUGGLES,
Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 31, 1865.

Lieut. Gen. U. S. GRANT,
Commanding U. S. Armies, City Point, Va.:

GENERAL: In the accompanying note* Major-General Hitchcock, commissioner for exchange, requests me to bring to your notice certain irregularities and neglects that appear to exist in the performance of the duties of the assistant agent for exchange at City Point, to which I have called the general's attention, and with a view to remedy this defective practice, if it exists, I beg leave to lay the following matter before you: It is reported by officers who have conducted prisoners of war to City Point that they are delivered to the rebel agent by count, and not by calling the roll which is sent with them. The consequence is—many having died by the way, escaped, or been left sick in hospital—it is impossible to say who of the prisoners have been delivered and who have not, and as many are non-commissioned officers it will not be practicable to reduce them to their equivalent numbers in privates, which is necessary in arranging an exchange.

* See March 29, p. 444.

Duplicate rolls are sent with every party of prisoners forwarded to City Point. One of them is to be delivered with the prisoners, with a note opposite the name of every man not delivered, and the duplicate noted in the same manner is to be forwarded to this office, that every prisoner may be accounted for. By the plan pursued by the agent this regulation of the War Department is wholly lost sight of.

It is also reported that the assistant agent declines to give to officers who deliver rebel prisoners to him receipts for them according to grades, but will give a receipt only for the total number without regard to rank. It is required of commanders of these parties that on their return to the station to which they belong they shall make to the commanding officer a report of their service, accounting for all the prisoners placed in their charge and giving the names of all not delivered for exchange. By the course pursued by the assistant agent it is not in their power in many cases to do more than give the number for which they are responsible and the total number delivered.

The rebel agent has delivered on the James River a good many Federal prisoners in mass, without rolls or, as far as I am informed, writing of any kind. These prisoners are sent to Annapolis, where they are distributed to the camp and the hospital, and it is only after much delay and trouble that I can get any accurate reports of their names or numbers.

While deliveries are made in this irregular way on both sides it will not be possible for the agents to make an exchange based on accurate numbers.

I have had frequent occasion, while the matter of exchanges was under the direction of Major-General Butler, and since that time, to refer papers in relation to exchanges and other subjects to the assistant agent for exchange, and with rare exceptions these papers have never been returned to me or replied to.

My impression is that few books or files are kept in the exchange office, and the records are in such a condition that it would be very difficult, if not impossible, to recover any paper once laid aside there. I would therefore respectfully suggest that an officer be directed to inquire into the manner in which the duties are performed and the records kept in connection with exchanges, and that where it is found necessary such reforms be ordered as the good of the service demands.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

NASHVILLE, TENN., *March 31, 1865—7 p. m.*

Lieut. Gen. U. S. GRANT, *City Point:*

On my return from Memphis I find that Col. J. G. Parkhurst, my provost-marshal-general, has returned without having received any of our prisoners from Forrest. Forrest's excuse was that the prisoners were on the way, but the heavy rains had so damaged the railroad that he could not get them farther north than West Point, and that he had since received orders to send them to Vicksburg and Mobile. Colonel Watts was then (the 13th instant) delivering them to the U. S. authorities.

GEO. H. THOMAS,

Major-General.

RICHMOND, *March 31, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

SIR: In pursuance of Special Orders, No. 58, Adjutant and Inspector General's Office, a copy of which is herewith filed, I went to Salisbury, N. C., and at that point found the staff of General J. H. Winder, with the official records of the military prisons. The occupation by the enemy of the point of exchange, near Goldsborough, precluded the possibility of my carrying out so much of the order as required me to visit that point. The results of my inspection are embodied in the following report, which I have the honor to submit:

Prior to the exchange lately made, at a point on Northeast River, south of Goldsborough, there were confined in the military prisons of North Carolina and South Carolina, as follows:

Salisbury, N. C	5,149
Florence, S. C	7,187
Columbia, S. C. (all officers)	1,185
Total	13,521

Number of prisoners delivered by Lieutenant-Colonel Hatch, assistant agent of exchange at Northeast River, North Carolina:

Rank and file	7,692
Officers	992
Total	8,684
Number of prisoners sent to Richmond from Salisbury, N. C	2,279
Number of prisoners, sick and wounded, left at Florence, S. C., incapable of transportation	700
	11,663
Total deficiency	1,858

Deducting from this amount 125 died in transit and 30 subsequently recaptured, and the net loss is 1,703. One thousand one hundred and eighty-five officers were started in two separate detachments and on different days from Columbia, S. C. Of this number 1,003 reached Goldsborough, N. C., making a loss between these points of 182 officers. Eleven officers escaped at Goldsborough, leaving 992 for delivery.

Officers lost in transit	193
Privates lost in transit	1,510
Total	1,703

Of the 5,149 Salisbury prisoners, 5,029 were delivered and 20 died on the road, leaving a deficit of 100 from this prison.

The losses are therefore chargeable thus:

Salisbury	100
Columbia	193
Florence	1,410
Total loss	1,703

The sick and wounded prisoners from Salisbury were forwarded in four detachments on different days to Richmond. The difference in the gauge of railroads required transshipments at Greensborough and Danville, productive of some unavoidable confusion. Complaint has been made of Lieutenant Snead, in charge of one of these detachments, and of the assistant surgeons in charge of the sick. Surgeon White of the prison department has been directed to inquire into the complaints alleged against the assistant surgeons, and Brigadier-General Johnson, commanding at Salisbury, has been instructed to inquire into the conduct

of Lieutenant Snead, and to prefer charges against him if the facts bear out the complaints alleged against him.

Loud complaint has been made in Greensborough, N. C., by the officers of the post and prominent citizens of the inefficiency of the officers and the looseness of discipline exercised over the prisoners marched from Salisbury, N. C. Prisoners were allowed to straggle over the country and town, to purchase liquor, and to annoy the citizens. Col. John F. Hoke, commanding Fourth Regiment North Carolina State Reserves, was in command of the guard forces, and, in view of his responsibility, I have preferred charges against him, which I inclose with this report for such action as the Department may deem best.

The inclosed reports of Col. H. Forno, commanding military prisons in South Carolina, and specially charged with the removal of prisoners from South Carolina, and of Maj. E. Griswold, assistant adjutant-general, commanding military prison, Columbia, are herewith filed. These reports show what difficulties were encountered in the removal of prisoners by the inefficiency of guards, imperfect transportation, and the confusion attending the proximity of the enemy.

From all the evidence I can gather, whilst making due allowance for the difficulties above alluded to, it is apparent that Major Griswold is chargeable with inefficiency as an officer. The loss of some prisoners during the delay and darkness of the night at the depot at Columbia on the 14th of February was unavoidable, but no such excuse is admissible for the loss of thirty-eight officers by concealment in the prison roof. The fact that a detachment of 500 officers had already been sent off made the care and accountability for the reduced number so much less onerous. Again, at Charlotte a number made their escape—thirty going off in one body with two of the guard. I am officially informed by Colonel Forno that at this point he was compelled to order Major Griswold three times out to his camp, the third time under threat of arrest. At Goldsborough, almost at the point of delivery, eleven more made their escape.

Lieut. Col. John F. Iverson, Fourth Georgia, commanded the prison at Florence, and superintended the removal of prisoners from that point. An order from Lieutenant-General Hardee, received a few days before the removal of prisoners, to this officer to rejoin his command, has, I presume, prevented this officer from sending in a report. My figures have therefore been taken from the prison report of the 31st of January, modified by the report of Colonel Forno and the statements of other officers. Possibly the loss from this prison would therefore be susceptible of a reduction of 100 or 200. I was officially informed by Colonel Forno that a large loss of these prisoners occurred in the evacuation of Wilmington. It was found impossible to drive out before the troops numbers of these men, enfeebled by long imprisonment and crippled by scurvy and other diseases. This loss of prisoners is greatly to be deplored in view of the present exchange of man for man. My observation leads me to state that confusion and want of management have characterized the removal of prisoners on this occasion, but also the management of prisons during the war. The fact that 14,000 prisoners of war died at Andersonville alone, startling and shocking as it is, leads one to hope that, as a mere matter of policy, the Government will hereafter insist upon and enforce more system in the management of the prisons, a better care of the prisoners, and a stricter accountability from those in charge of them.

I am, very respectfully, your obedient servant,

J. LOUIS SMITH,

Captain and Assistant Adjutant and Inspector General.

[Indorsement.]

Abstract. Charges against Hoke been forwarded to Holmes for trial. Death of prisoners result of abuses so fully reported by Colonel Chandler and other inspectors, and which were submitted in hopes that measures might be adopted to remove the reproach resting upon us in their treatment, and at the same time secure to our own captured people the benefits of exchange. Recommend that Major Griswold, now a supernumerary, be dropped, as this report represents him to be of little service to the Government.

[Inclosure No. 2.*]

SPECIAL ORDERS, No. 58. } ADJT. AND INSP. GENERAL'S OFFICE, *Richmond, Va., March 11, 1865.*

* * * * * * *

XX. Capt. J. Louis Smith, assistant adjutant-general, will proceed to Salisbury, N. C., and thence to the points of exchange of the Federal prisoners, and examine into and report upon the system and management regulating their march between the prisons and the point of delivery, and their exchange on reaching those points.

By command of the Secretary of War:

JNO. WITHERS.
Assistant Adjutant-General.

[Inclosure No. 3.]

HEADQUARTERS MILITARY PRISONS, &C.,
Salisbury, N. C., March 10, 1865.

ASSISTANT ADJUTANT-GENERAL:
(Brigadier-General Gardner's Staff.)

CAPTAIN: I have the honor to submit the following report of the removal of the prisoners of war from Columbia and Florence, S. C.:

The death of Brigadier-General Winder at Florence on the 6th of February left me, as senior officer present, responsible for the security of the prisoners at Columbia and Florence. The rapid advance of the enemy under Sherman made it a matter of urgency to mature arrangements for their removal. General Winder, after consulting with General Beauregard, had decided that the safest locality for the prisoners would be found in Southwest Georgia, and, being ignorant of the progress of negotiations for an exchange, had decided on removing them in that direction. Being fully in possession of General Winder's views, I determined to carry out his intentions, and on the 11th of February I telegraphed H. M. Drane, esq., railroad superintendent at Wilmington, to be prepared to furnish transportation for 5,000 prisoners from Florence to Columbia. Difficulty as to guarding them en route with the force at my disposal was the next consideration, and I at once communicated with General Bragg, at Wilmington, and Lieutenant-General Hardee, at Charleston, on the subject. Neither, however, could afford me any assistance. Pending their answers I called on Governor Magrath, of South Carolina, to ascertain what aid he could furnish me from the reserves of his State. Governor Magrath was unable to give me any troops and referred me to Brigadier-General Chesnut, commanding South Carolina Reserves, who informed me that his forces were so scattered that he could not furnish me with any aid. General Garlington, adjutant-general of South Carolina, however, placed

* Inclosure No. 1 (charges against Hoke) not found.

at my disposal the Cadet Battalion of Columbia and a company of provost guards from that city to do duty at the prison there, stipulating that they should not go out of the State. This released the South Carolina Reserves, who had been on duty guarding the officers' prison at Columbia, and rendered the contemplated movement feasible. Progress was, however, temporarily arrested by the receipt of the following telegram:

SALISBURY, *February 12, 1865.*

COMMANDING OFFICER OF PRISON, *Columbia, S. C.:*

In addition to his present command General B. T. Johnson has been assigned to command prisons in South Carolina. He directs you immediately report the number and condition of your prisoners. Report by telegraph.

G. W. BOOTH,
Captain and Assistant Adjutant-General.

I at once replied to this dispatch as follows:

COLUMBIA, S. C., *February 12, 1865.*

Capt. G. W. BOOTH, *Assistant Adjutant-General, Salisbury:*

There are nearly 1,200 officers here and 7,000 enlisted men at Florence. Am endeavoring to move those at Florence to this place.

H. FORNO,
Colonel, Commanding.

At a later hour of the same day, considering the importance of immediate action, I telegraphed General B. T. Johnson that—

General Beauregard advises instant removal of prisoners from Florence and Columbia to Southwest Georgia. Telegraph your orders.

Failing to receive any answer to the foregoing dispatch, I telegraphed General Johnson at 10 a. m. of the 13th:

I am awaiting orders for removal. The case is urgent.

And again at 11.30 a. m., same day:

General Beauregard strongly disapproves sending prisoners to Wilmington, and urges their instant removal both from Florence and Columbia to Southwest Georgia via Abbeville. I am preparing to act at once; only await General Johnson's orders. There is no time to be lost.

At midday I received this dispatch from General Bradley T. Johnson:

General Gardner telegraphs me that you have been placed in command of all the prisons of South Carolina. You will therefore do as you think best.

And an hour later the following telegram from General W. M. Gardner:

RICHMOND, *February 13, 1865.*

Col. H. FORNO:

You have been ordered to remove prisoners immediately from Florence. Raleigh and Salisbury are suggested. Report what action. Call on General Holmes for guards and subsistence.

A little later I received another dispatch from General Gardner, embodying fuller instructions and suggesting Raleigh and Charlotte as eligible points to which to move prisoners. Acting on these instructions I at once telegraphed the commanding officer at Charlotte—

to provide suitable place and subsistence for 1,200 Federal officers who will be sent to Charlotte.

And to Lieutenant-General Holmes at Raleigh:

Am ordered by the War Department to move 7,000 prisoners from Florence to Raleigh. Can you furnish guards and subsistence? Have also to move 1,200 officers from Columbia to Charlotte. Have guard enough to move them, but will need subsistence and guard at Charlotte.

I also dispatched an officer to Charlotte by the first train to select a suitable locality for an officers' prison. In the evening Col. William J. Hoke, commanding post at Charlotte, telegraphed me:

> Sufficient guard must accompany Federal officers to guard them after they get here, as there are but sixty men here. No shelter can be furnished.

And Lieutenant-General Holmes dispatched me:

> I have no soldiers here and can furnish no guards. Greensborough would be a better position for prisoners. Can feed the prisoners with bread; no meat or molasses.

Being still unadvised of the probability of an early exchange, and feeling strongly impressed by General Beauregard's views as to the superior advantages presented by Southwest Georgia as to both security and subsistence, and the impolicy of adding so greatly to the already heavy demands for subsistence pressing on North Carolina, I telegraphed to General Gardner:

> General Beauregard advises to move prisoners to Southwest Georgia. Will not subsistence be difficult in North Carolina? Answer by telegraph.

My instructions having only suggested certain points in North Carolina for the reception of the prisoners, and leaving me invested with discretionary powers as to the point for their location, and further anticipating that the objections to North Carolina mentioned in my telegram to General Gardner would decide the Department to prefer Southwest Georgia, I dispatched an officer to Alston to make the necessary preparations for removing the Florence prisoners via that place and Abbeville. Every necessary preliminary was promptly arranged, but the rapid changes occurring in the situation rendered the whole plan nugatory. A telegram dated Florence, February 15, from Lieutenant-Colonel Iverson, commanding prison, stated that General Clayton telegraphed from Kingsville "that no trains could pass there after to-day." This at once put an end to the idea of moving the Florence prisoners to Georgia and necessitated their prompt removal to North Carolina. I therefore directed Lieutenant-Colonel Iverson by telegraph to commence their removal via Wilmington to Raleigh and notified General Holmes at Raleigh of the steps taken.

The officers at Columbia were removed to Charlotte, part on the night of the 14th and the remainder on the night of the 15th. The pressure on the railroad for transportation was so great that no train could be obtained for this purpose until 8 p. m. on the 14th.

The night was intensely dark and the guard force altogether inadequate. The prisoners had to be marched some distance through streets crowded with refugees fleeing from Columbia, and in the darkness and confusion a considerable number succeeded in escaping—from the best data I can obtain I should estimate about fifty. No more transportation could be had until 11 p. m. on the 15th, when the remainder of the prisoners were shipped. I have since ascertained that a number again succeeded in effecting their escape by burrowing in tunnels they had dug in the prison camp and hiding in the roofs of the barracks and hospital, remaining there until after our evacuation of Columbia. That the loss of these prisoners could have been altogether avoided I am not prepared, considering the darkness, inefficiency of guards, and general confusion prevailing, to assert; but still I think that sufficient diligence was not exercised by the commanding officer of the prison, or the escapes could not have reached, as they did, to so large a number as 144, which is the number unaccounted for. Of the first detachment of 515 shipped to Charlotte but 509 reached

that point. Fifteen escaped from the train, of whom nine were recaptured. No suitable place for the prisoners could be obtained at Charlotte, and I was compelled to camp them in an open field near the town, surrounding them with a guard, which gave at best but poor security for their detention; but, considering the extreme inefficiency of the troops on duty—raw reserves—was perhaps as futile an attempt at imprisonment as could be devised. Two of the guard deserted from post and took with them thirty of the prisoners. I therefore determined to lose no time in removing them to some point where some more effectual measures for their retention might be practicable, and on the 19th of February commenced the removal of these prisoners to Greensborough. After beginning the removal I received instructions from General Gardner to send Federal officers to Wilmington, making duplicate lists of and paroling them. In obedience to this order I, after some unavoidable delays in transportation, carried 1,003 Federal officers to Goldsborough, where they were paroled and thence forwarded to Colonel Hatch, assistant agent of exchange, at Magnolia. Of this number thirteen, after being paroled, straggled from the trains between Goldsborough and Magnolia. Nine hundred and ninety were delivered to Colonel Hatch.

Acting on the instructions I sent him on the 15th, Lieutenant-Colonel Iverson moved all the able-bodied prisoners at Florence to Cheraw, and thence marched them to the North Carolina Railroad, on which they were transported to Goldsborough, at which place they were paroled and forwarded to Colonel Hatch at Magnolia. Of those who arrived at Goldsborough some 700 were sick. These men, under a literal compliance with my instructions, I should have had to send to Richmond, but in view of the difficulty of transporting them there, and the great increase of suffering to the prisoners this course would have entailed, I decided to assume the responsibility of sending them to Colonel Hatch at Magnolia for exchange. I forwarded to him in all about 6,000 enlisted men from the Florence prisoners. I use the expression "about," as these prisoners were so mixed with others arriving from Salisbury that it was impossible to ascertain the exact number.

Every possible care was exercised in carrying out the operations I have detailed, but much confusion has resulted from various causes beyond my control, among which may be mentioned the enormous press of business on a single line of railroad, resulting from the evacuation of Columbia and movements of troops, and, above all, from the extreme inefficiency of the troops used as guards—reserves without discipline or instruction, and utterly unsuitable for an operation in which the vigilance of well-disciplined troops would have been severely taxed to prevent escapes.

For details of the removal of the officers from Columbia to Charlotte I refer to the accompanying report of Maj. E. Griswold, commanding officer of the prison at Columbia.

I am, captain, very respectfully, your obedient servant,

H. FORNO,

Colonel, Provisional Army, C. S.

[Inclosure No. 4.]

List of prisoners sent from this post on exchange.

Date.	Prisoners of war (well).	Prisoners of war (sick).	Citizens.	Free negroes.	Total.	Destination.	By rail or on foot.	Under whose charge.
Feb. 19	370	.....	....	....	370	Richmond	Railroad	Lieutenant Davis. (3 died.)
20	400	357	....	....	757	.....do	.....do	Lieutenant Davis.
22	2,822	.....	48	....	2,870	Goldsborough	On foot	Colonel Hoke.
22	.....	938	....	....	938	Richmond	Railroad	Lieutenant Snead. (12 died.)
Mar. 3	42	125	28	19	214	.....do	.....do	Lieut. T. Allen.
Total	3,634	1,420	76	19	5,149			

JNO. H. GEE,
Major, Commanding.

[Inclosure No. 5.]

GREENSBOROUGH, *February 24, 1865.*

Col. H. FORNO, *Commanding Prisons, &c.:*

COLONEL: By your direction I make the following report of the removal of prisoners (Federal officers) from Columbia, S. C.:

For some time (say —— weeks) previous to the evacuation I had been in consultation with General Winder, urging their removal to Southwest Georgia or Alabama, and the general had sent me for consultation to see General Beauregard at Charleston, who urged their removal, and had sent me also to Richmond with dispatches asking urgently for decisive orders where to remove them. No orders came up to the time General Winder went to Florence, where he died; but I took the responsibility in his absence to call on the post commissary and asked him to be prepared with cooked rations to remove 1,400 men, prisoners and guard, at any moment.

Very soon after you assumed command, and the moment you received orders to remove them to Charlotte, I received orders from you to move them off in two detachments by railroad, and I know that you had positive assurance that the trains should be in readiness—one at 6 o'clock a. m. of the 14th of February and one at 6 or 7 o'clock p. m. of the same day; but it was not until I had gone personally several times to the superintendent of the road, Mr. Anderson, and to the transportation quartermaster, Captain Sharp, that I could get a train, and then had not quite half an hour's notice to get my prisoners to the depot.

At 8 o'clock p. m. of the 14th I sent off the first detachment of 500 men under charge of Capt. T. R. Stewart, and ordered him to report to the commandant of the post at Charlotte for rations and quarters. You had previously, however, sent an officer to Charlotte to select a site to keep them. When the first detachment went off I was notified by the transportation quartermaster (after urgently inquiring and asking timely notice) that a train would be ready for the balance of the prisoners at 6 o'clock p. m. of the same day—the 14th. My prisoners were promptly at the depot at 6 o'clock. It was an intensely dark evening and raining in torrents—the depot and the roads thronging with fleeing fugitives and wagons of baggage and freight.

It was so dark that the guards could not see the prisoners at a distance of three feet, and the guard at best was most inefficient, being composed of raw, undisciplined reserves. I waited a full hour with my

command in this confusion, darkness, and rain for the transportation, when I was informed that no train could be furnished until 6 o'clock the next morning. On this occasion we must have lost from fifty to sixty prisoners. It could not be prevented. My officers with myself went up and down the line constantly, but no guard, especially such as I had, could have prevented escapes on such an occasion and in such darkness. I regard the fact of being assured of transportation under the circumstances and failing to get it as most unwarrantable misinformation and recklessness.

I moved my prisoners back to their quarters and refused to bring them out again upon information of a train until the train I was to use was actually pointed out to me and put in my charge. At 11 o'clock on the 15th I got the balance of the prisoners upon the train and moved off. When within a mile of Winnsborough, at about 12 o'clock, we came into a drove of Government cattle, which had been left by the agent or persons in charge to roam and sleep on the railroad, the drivers having gone off to rest. The engine ran over and killed three cows and was thrown off the track and rendered utterly useless. We had to remain here until a new track was made around the wreck, and at about 2 o'clock the 16th we reached Winnsborough, there being then some five or six trains behind us. At Winnsborough the president of the road showed me a telegram from the road transportation agent, saying it was understood a raid was then on its way to Winnsborough. He also suggested that it would be well for my train to go off on a side track to allow lighter trains to pass. To this I utterly objected, stating politely and firmly that having a guard I must take possession of the road to get off these prisoners. Upon a representation of danger to the country if these prisoners were not got off the president gave me the road. We arrived at Charlotte that night, the 15th [16th], and went into camp, a most inadequate and unsafe place to keep them, being an old field, and with a small guard utterly worthless, so much so that notwithstanding every diligence and personal orders and urgency upon each relief as it went on guard, a sergeant and three men of the guard were bribed and went off in one night with thirty prisoners, and nightly they were escaping. I could not keep my own guard in quarters, not having men enough for a camp guard, and I could not punish one-half who deserved, because they were so few that they were doing double duty. All this being promptly reported to you, and your own observation and the complaints of the people of the country convincing you of the danger of the position we were in and the fatality of trying to keep them where they were, I received orders from you to parole them all and bring them to this point, which was done.

In connection with this report allow me to report the representations I had the honor to make to you in regard to the money belonging to the prisoners. I had made every effort, upon the complaints of the prisoners that they had at the several prisons they had occupied been deprived of and delayed in the use of their own money, to get all their money together in the hands of the quartermaster, Captain Richardson, at Columbia, and I had so far succeeded, but they were perfectly satisfied of the diligence and good faith of the Government. Now that they are paroled and about to be exchanged, they ask for this money, consisting of U. S. money, gold, bills of exchange, &c., which they were only allowed to draw, as prisoners, as they needed in clothes and provisions. They ask for this money, it is theirs, and they ought to have it, but the quartermaster who has it in charge is absent with the money, notwithstanding your positive orders to accompany or follow us with the wagon train. It will be a crying shame upon the management of

the prisons, the prison department, and the Government if they are compelled to leave without it, many of them in want of clothing, &c.

I know, colonel, that this state of things in regard to their money is in positive violation of your orders, and I am satisfied from the frequent and timely reports I have made you on the subject you will hold me blameless.

I am, very respectfully and truly, your obedient servant,

E. GRISWOLD,
Major, Commanding Federal Officers.

OFFICE CONFEDERATE STATES MILITARY PRISONS,
Richmond, Va., March 31, 1865.

Brig. Gen. DANIEL RUGGLES, *Commissary-General of Prisoners:*
(Through Major Carrington, provost-marshal.)

GENERAL: In reply to your inquiries in reference to Federal money received from prisoners, I have the honor to state that all such moneys taken under orders from headquarters have been turned over from time to time to Captain Morfit, assistant quartermaster. I hold the captain's receipts for same.

I am, general, very respectfully, your obedient servant,

T. P. TURNER,
Major, &c.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Richmond, Va., March 31, 1865.

General S. COOPER,
Adjutant and Inspector General C. S. Army:

GENERAL: I have the honor to state that no regular settlement, adjudication, or returns exist, so far as I am at present informed, covering the whole question of moneys, valuables, &c., taken from Federal prisoners of war, and that there is now a large accumulation of them in Richmond, Va., in the keeping of certain depositaries, covering a period of nearly two years.

I respectfully recommend that a board of three officers, specially selected, be ordered to report carefully on the whole subject, specifying amount of money and articles of value accumulated, from whom taken, with a recommendation as to an equitable disposition of them. This seems important in connection with the introduction of a rigid system of official accountability in that branch of the service.

I respectfully suggest T. G. Peyton, in Adjutant-General's Department, be one of the officers selected.

Very respectfully, your obedient servant,

DANIEL RUGGLES,
Commissary-General of Prisoners.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Richmond, Va., March 31, 1865.

The following regulations for the government of the C. S. military prisons are published for information and observance:

I. The commanding officer of each military prison, camp, or station will be held responsible for the good order and military discipline of his command, and the security of all prisoners committed to his charge.

II. The names, rank, and corps of prisoners of war, on arrival at a prison camp or station, will be verified by a critical comparison with rolls sent with them, and all errors noted and, if practicable, corrected under the direction or supervision of the commanding officer. Prisoners delivered without rolls will be immediately taken up by name, from their own statements, and held like other prisoners, in conformity with articles 80, 81, and 82, of the Articles of War. In all cases where negro prisoners of war are delivered a separate roll, specifying the military organization to which they belong, will be kept with them.

III. Prisoners on arriving at a military prison, camp, or station will be immediately required to give up all arms, military equipments, and munitions of war of every description, which will without delay be turned over to the Ordnance Department. At military prisons and other places of reception of prisoners a bonded staff officer, if practicable, will be designated by the commanding officer to take charge of, on his official responsibility, all Federal money and other valuables found in the possession of the prisoners, receipting for the same, and keeping an exact record of the amount and kind of money, or of the articles thus taken, specifying carefully the time, place at which, name, rank, and corps of the prisoner from whom taken. The staff officer charged with this duty will make semi-monthly returns in duplicate of all moneys and articles thus taken, through his commanding officer, to the chief quartermaster at these headquarters. When prisoners are transferred from one prison to another all property belonging to them will be transferred with them, and if necessary under the charge of a special messenger, and when released or exchanged their money or valuables will, on presentation of the receipts held by them, be returned to them. Commanding officers will be held responsible for the careful execution of this duty.

IV. When prisoners of war are paroled for exchange parole-rolls in duplicate, signed by each prisoner and certified by the commanding officer, will be made. One for the Confederate commissioner, one for the Federal commissioner of exchange, and an abstract report will be sent to the Commissary-General of Prisoners. When prisoners of war are transferred from one military prison to another an accurate roll, containing full information carefully stated, will be sent with them and a copy forwarded to these headquarters. The officer in charge of prisoners thus transferred will take receipts for those delivered and report in writing the execution of his orders, accounting by name for any prisoners not delivered to the commander under whose orders he shall have been serving, who will forward it with remarks to these headquarters.

DANIEL RUGGLES,
Commissary-General Prisoners of War.

RICHMOND, *March 31, 1865.*

Brig. Gen. J. D. IMBODEN, *Augusta, Ga.:*

SIR: Your consolidated return for January, 1865, and note of March 6 to General Cooper have been referred to me by the Secretary of War. In one column you return 192 at Andersonville and 48 at Cahaba as having been "paroled, released, and exchanged." No roll representing any such operation has ever been presented to me, and I do not see how we can get any credit for it unless that is done. I will thank you to send me a list (a duplicate would be preferable) showing the names of the prisoners, the commands to which they belonged, when and

where captured, and especially when and where "paroled, released, or exchanged."

I have already telegraphed you about Captain Rutherford. I hope deliveries have been made somewhere before this. I hope still more that the matter has not been involved in either such confusion or irregularity as will prevent our claim to a full and accurate count. Grant is for the whole delivery at Mobile, with a stipulation that if the prisoners were captured en route they would count as if they had been delivered at Mobile. I am not entirely certain that the Federal authorities will countenance a delivery elsewhere. The agreement at least should be precise and full.

I cannot at this point conceive why Generals Taylor and Maury, with this understanding with General Grant, refused to allow the delivery at Mobile. Perhaps there may have been valid reasons, however. Let me hear from you as soon as possible.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

EXECUTIVE OFFICE, *Shreveport, La., March 31, 1865.*

Col. IG. SZYMANSKI,
Agent of Exchange, Trans-Mississippi Department:

SIR: Learning that the C. S. prisoners have left Johnson's Island, I have the honor to request that you sell the fifty bales of cotton, placed in your custody for the benefit of Louisiana prisoners of war, in New Orleans for Federal currency, and retain in your hands the proceeds of the sales until you can ascertain where the Louisiana prisoners are now stationed and how the donation can be transmitted to them.

With great respect, your obedient servant,

HENRY W. ALLEN,
Governor of Louisiana.

Consolidated return for C. S. military prison, Camp Sumter, Andersonville, Ga., for the month of March, 1865.

Prisoners on hand on the 1st day of March, 1865:		
In camp	4,473	
In hospital	1,378	
		5,851
Prisoners received from various places during March		139
Recaptured		3
Total		5,993
Prisoners died during the month of March	118	
Escaped	2	
Sent to other posts	1	
Paroled, exchanged, &c	2,553	
		2,674
Total on hand		3,319
Of which there are—		
In camp		3,056
In hospital		263
		3,319

H. WIRZ,
Captain, Commanding Prison.

Capt. W. S. WINDER,
Assistant Adjutant-General, Salisbury, N. C.

[MARCH —, 1865.]

Statement of exchanges of prisoners of war (in equivalents to privates) in the Military Division of West Mississippi since January 1, 1864.

December 25, 1863, received on parole at New Iberia, La., under cartel of December 12, 1863, between Major-Generals Franklin, U. S. Army, and Taylor, C. S. Army—declared exchanged by General Orders, No. 55, headquarters Department of the Gulf, May 1, 1864	561
June 17, 1864, received on parole at Red River Landing, La., under special agreement of May 31, 1864, between Major-Generals Banks, U. S. Army, and Taylor, C. S. Army, our wounded of the Red River Campaign—declared exchanged by General Orders, No. 107, headquarters Department of the Gulf, and paragraph 1, General Orders, No. 5, headquarters Military Division of West Mississippi, January 8, 1865	531
July 22, 1864, received at Red River Landing, La., under cartel of January 4, 1864 (as extended by subsequent correspondence)—declared exchanged by General Orders, No. 101, headquarters Department of the Gulf, July 25, 1864	1,361
August 22, 1864, received at Baton Rouge, La., under agreement of August 17, 1864, between Major-General Herron, U. S. Army, and Major-General Maury, C. S. Army—declared exchanged by Special Orders, No. 113, headquarters Military Division of West Mississippi, August 30, 1864	125
October 23, 1864, received at Red River Landing, La., under cartel of July 28, 1864—declared exchanged by Special Orders, No. 171, headquarters Military Division of West Mississippi, October 28, 1864	903
December 12, 1864, received at Galveston, Tex., under agreement of August 23, 1864—declared exchanged by paragraph 2, General Orders, No. 5, headquarters Military Division of West Mississippi, January 8, 1865	417
December 19, 1864, received at Galveston, Tex., as above—declared exchanged by same order	169
December 31, 1864, received at Baton Rouge, La., under special agreement of that date—exchanged for by deliveries of equivalents at Mobile Bay March 4, 1865	59
February 26, 1865, received at Red River Landing, La., under cartel of July 28, 1864, army prisoners (of whom an equivalent for 938 were declared exchanged by General Orders, No. 25, headquarters Military Division of West Mississippi, February 28, 1865)	1,408
February 26, 1865, received at Red River Landing, La., under agreement of August 23, 1864, naval prisoners exchanged for by delivery of equivalents for 252 seamen or privates at Mobile Bay March 4, 1865, the remainder to be exchanged for by delivery of Admiral Buchanan, C. S. Navy	310
Total received	5,844

April 20, 1864, delivered at Grand Ecore, La., in exchange for paroled men of December 25, 1863		532
July 22, 1864, delivered at Red River Landing, La., in exchange for prisoners received of same date	1,361	
Of prisoners paroled June 17	110	
Balance of prisoners paroled December 25, 1863	29	
		1,500
August 22, 1864, delivered at Baton Rouge, La., in exchange for prisoners received same date		121
October 23, 1864, delivered at Red River Landing, La., in exchange for prisoners received same date		908
January 6, 1865, delivered at Mobile, Ala., in exchange for prisoners received at Galveston December 12 and 19, 1864	586	
Of prisoners paroled June 17, 1864	240	
		826
January 24, 1865, delivered at Fort De Russy, La., paroled to await delivery of equivalents, which were received February 26, 1865		795
February 26, 1865, delivered at Red River Landing, La., in exchange for portion of army prisoners received same date		316
March 4, 1865, delivered at Mobile, Ala., army prisoners in special exchange for prisoners received December 31, 1864	59	
Naval and other prisoners in exchange for naval prisoners received February 26, 1865	252	
		311
Total delivered		5,309

HEADQUARTERS MILITARY COMMANDER,
Louisville, Ky., April 1, 1865.

Capt. CHARLES B. PRATT, *Commanding Military Prison:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 1, 1865:

Conduct—good. Cleanliness—clean. Clothing—good. Bedding—none furnished prisoners. State of quarters—good. State of mess-houses—clean and in good condition. State of kitchen—clean. Food, quality of—good rations. Food, quantity of—sufficient. Water—good. Sinks—clean. Police of grounds—good condition. Drainage—good. Police of hospital—good. Attendance of sick—good. Hospital diet—good. General health of prisoners—good. Vigilance of guard—they do their duty.

Remarks and suggestions.—I have inspected the military prison and find it in very good condition, and the grounds have been policed and improved since my last report. There are not sufficient guards to insure the safe-keeping of the prisoners. Two prisoners escaped on the night of the 29th of March last for the reason that the prison was not sufficiently guarded. It requires not less than 270 men to do the necessary guard duty at this prison and the hospital, and at present there are but 118 men reported for guard duty.

Very respectfully, your obedient servant,

THEO. C. SPENCER,
Lieutenant, Thirtieth Wisconsin Infantry, and Inspecting Officer.

[Indorsement.]

Approved. The report of the commission appointed to investigate the facts and circumstances connected with the escape of the two prisoners to which reference is made by the inspecting officer will be forwarded as soon as received. One of the escaped men was not a prisoner of war, but held for safe-keeping by request of the post commander.

Respectfully referred to the Commissary-General of Prisoners.

CHAS. B. PRATT,
Captain and Commissary of Prisoners, Comdg. Military Prison.

RICHMOND, VA., *April 1, 1865.*

General S. COOPER, *Adjutant and Inspector General:*

GENERAL: I see by paragraphs VI and VIII, Special Orders, No. 50, headquarters C. S. Military Prisons, &c., a copy of which has been sent to me by your Department—that Capt. R. B. Winder, assistant quartermaster, and Maj. E. Griswold, assistant adjutant-general, have been relieved from further duty in the prison department by Brigadier-General Gardner, commanding, stating that the reduction in the number of prisoners rendered their retention unnecessary.

I require the services of both these officers in my department. Captain Winder as chief quartermaster and Major Griswold as the chief of staff, in Richmond, as I have announced in general orders before I was aware of the fact that they had been relieved, having only received the order relieving them a few minutes since. I hope to be allowed to retain both.

Very respectfully, your obedient servant,

DANIEL RUGGLES,
Commissary-General of Prisoners.

RICHMOND, *April 1, 1865.*

Capt. W. S. WINDER,
Assistant Adjutant-General, Hillsborough, N. C.:

Have announced you on my staff as adjutant-general. Go at once to Salisbury and take charge of department until my arrival.

DANIEL RUGGLES,
Brigadier-General and Commissary-General of Prisoners.

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
ASST. ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, Va., April 1, 1865.

Extract from report of inspection of the system and management of prisoners on the march to be exchanged.

Date of inspection, March 31, 1865.

From all the evidence I can gather, whilst making due allowance for the difficulties above alluded to, it is apparent that Maj. E. Griswold, assistant adjutant-general, is charged with inefficiency as an officer. The loss of some prisoners during the delay and darkness of the night at the depot at Columbia on the 14th of February was unavoidable, but no such excuse is admissible for the loss of thirty-eight officers, by concealment in the prison roof. The fact that a detachment of 500 officers had already been sent off made the care and accountability for the reduced number so much less onerous. Again, at Charlotte a number made their escape—thirty going off in a body with two of the guard. I am officially informed by Colonel Forno that at this point he was compelled to order Major Griswold three times out to his camp, the third time under threat of arrest.

[Indorsement.]

ASST. ADJT. AND INSP. GENERAL'S OFFICE,
April 1, 1865.

Respectfully submitted to Honorable Secretary of War.

This officer is a supernumerary, and, as appears from the report of the inspector, totally inefficient and negligent. It is respectfully recommended that he be dropped from the rolls as a supernumerary.

R. H. CHILTON,
Assistant Adjutant and Inspector General.

CITY POINT, VA., *April 2, 1865.*

General JOHN E. MULFORD:

General Grant orders that you make no more deliveries of rebel prisoners whilst the battle now going on lasts.*

T. S. BOWERS,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF SAINT MARY'S,
Point Lookout, Md., April 2, 1865.

Brig. Gen. JAMES BARNES,
Commanding District of Saint Mary's:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 2, 1865:

Conduct—good. Cleanliness—good. Clothing—fair. Bedding—one blanket to each man. State of quarters—good. State of mess-

*See Grant to Bowers, Series I, Vol. XLVI, Part III, p. 449.

houses—good. State of kitchen—clean and in good order. Food, quality of—good. Food, quantity of—fair, and in accordance with regulations. Water—good. Sinks—clean and in good condition. Police of grounds—good. Drainage—fair. Police of hospital—good. Attendance of sick—good; there are 358 attendants. Hospital diet—good; same as that of U. S. General Hospital. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—There were received during the week 4,040 prisoners of war at this station, as follows:

From Fort Monroe, Va., 162; from City Point, Va., 3,043; from Washington, D. C., 149; from U. S. General Hospital at this post, 120; from New Berne, N. C., 566. Transferred to Washington, D. C., 10 officers. Paroled and transferred to Aiken's Landing, Va., for exchange, 500 prisoners of war. Released upon taking the oath, 4 prisoners. The average rate of mortality for the week was $4\frac{1}{7}$ per day.

Very respectfully, your obedient servant,

A. G. BRADY,
Major and Provost-Marshal, Inspecting Officer.

Remarks by commanding officer.—Respectfully forwarded. I have nothing of particular importance to add to this report.

Respectfully referred to the Commissary-General of Prisoners.

J. BARNES,
Brigadier-General, District of Saint Mary's.

RICHMOND, VA., *April 2, 1865.*

Maj. T. P. TURNER,
Commanding Libby Prison, Richmond, Va.:

MAJOR: The Commissary-General of Prisoners orders that you retain a small guard, and govern yourself by the movements of the army, to receive such prisoners of war as may be turned over to you. You will make requisitions for additional guard as circumstances may require. The prisoners will be retained subject to the order of the Commissary-General of Prisoners, the general commanding the army, or the commissioner of exchange. You will also retain such surgeons, assistant surgeons, prison officers, and attendants as you may deem necessary.

You will communicate freely with headquarters of this department at Danville temporarily.

I am, major, very respectfully, your obedient servant,

SAMUEL T. BAYLY,
Assistant Adjutant-General.

HEADQUARTERS MILITARY PRISONS,
Salisbury, N. C., April 2, 1865.

Brig. Gen. D. RUGGLES, *Commissary-General of Prisoners:*

GENERAL: I had the honor of addressing you a few days since on the subject of locating a new military prison. I now beg leave to call your attention to the site recently purchased by the Government at Killian's Mills, eighteen miles from Columbia, S. C. I had been ordered to erect a prison at that place; had all the timber cut, trenches dug, and ready to begin raising, when the evacuation of Columbia obliged me to discontinue work. I am of opinion that the point referred to

is the best location for the purpose, being on the line of the Columbia and Charlotte Railroad, with plenty of wood and water, and the inclosure can be put up with 100 hands in ten days after I arrive there. I respectfully submit the matter for your consideration; and as I am receiving small lots of prisoners and have no place to keep them but the open fields, I deem it my duty to inform you of it.

I am, general, very respectfully, your obedient servant,

H. FORNO,
Colonel, Commanding.

[APRIL 3, 1865.—For Special Orders, No. 158, War Department, Adjutant-General's Office, directing Bvt. Brig. Gen. William Hoffman to proceed to City Point, Va., on business connected with prisoners of war, see Series I, Vol. XLVI, Part III, p. 513.]

SURGEON-GENERAL'S OFFICE,
Washington City, D. C., April 3, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners:

SIR: In compliance with your verbal request I have the honor to inform you that this department was informed of the arrival, and its attention called to the condition, of our exchanged prisoners at Wilmington, N. C., by Medical Director Shippen, whose application for hospital transports for their conveyance North could not be granted without ruinous interference with existing arrangements for the transportation of sick and wounded of armies in the field. Colonel Cuyler, medical inspector, U. S. Army, having been sent to Hilton Head, S. C., on special duty, was immediately instructed to give his personal attention to the condition of these prisoners, supplying, as far as possible, their wants from the hospital stores sent forward for General Schofield's army. He reports from Morehead City March 27 that he has taken measures to send on quartermaster's transports from Wilmington to Fort Monroe about 900 exchanged prisoners, and adds:

I would order them to New York, but the men are without sufficient clothing and we have no means of making the transports sufficiently comfortable for so long a journey.

After visiting Wilmington, Colonel Cuyler reports:

I found on my arrival the hospitals crowded to the utmost and the patients by no means in a comfortable condition.

Upon two fine transports, bound for Fort Monroe, he placed 500 exchanged prisoners.

Medical officers and provisions were sent with them and we did all we could under the circumstances to make them comfortable while on board. They were very imperfectly clad, and we had no bedding for them, nor could any be obtained. No clothing could be procured from the quartermaster, nor could fresh meat be got for them. There is a great deal of typhoid fever in the town and hospitals.

On the 28th Colonel Cuyler reports:

There were 3,700 sick (exchanged prisoners) at Wilmington when I arrived there; 1,000 to 1,200 have already been shipped, and I hope in four or five days to have 700 or 800 more sent away.

By diverting a portion of the hospital supplies and medical officers intended for Generals Sherman's and Schofield's armies, this depart-

ment was fortunately enabled to meet this unexpected demand upon its resources and, as far as its own issues could do so, has relieved and prevented much suffering. The exchanged prisoners are now arriving at Fort Monroe and Annapolis, 100 having been retained in hospitals at the former place.

Very respectfully, your obedient servant,

J. K. BARNES,
Surgeon-General.

VARINA, VA., *April 3, 1865.*

Brigadier-General BARNES, *Point Lookout:*

You will please detain all Confederate prisoners en route for the South until further orders.

JNO. E. MULFORD,
Brevet Brigadier-General, &c.

VARINA, VA., *April 3, 1865.*

General MORRIS, *Commanding Middle Department, Baltimore:*

You will please send all large detachments of Confederate prisoners en route for the South to Point Lookout, instead of City Point or Varina, until further advices.

JNO. E. MULFORD,
Brevet Brigadier-General and U. S. Agent for Exchange.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., April 3, 1865.

Brig. Gen. E. P. SCAMMON,
Comdg. Dist. of Florida, Dept. of the South, Jacksonville, Fla.:

GENERAL: I have the honor to acknowledge the receipt of your letter of March 29, transmitting copy of a letter from Maj. Gen. Sam. Jones, dated headquarters Military District of Florida, Tallahassee, Fla., March 27, 1865, and a copy of a letter from Brig. Gen. Gideon J. Pillow, Commissary-General of Prisoners, C. S. Army, dated headquarters C. S. Military Prisons, Macon, March 24, 1865, requesting you to receive certain Union prisoners in their hands. In reply, I take leave to say that a recent request from the Confederate authorities in the State of Georgia to deliver to us a large number of Union prisoners near Savannah has been referred to Lieutenant-General Grant for his instructions, which when received must be taken as a guide to your action upon the applications made to you in the absence of any specific orders on the subject. The letters transmitted by you have been forwarded to Lieutenant-General Grant, and you will at once inform the Confederate authorities in front of you by flag of truce that until a reply is received thereto no prisoners will be received in your district. Instructions from General Grant may be looked for by the 19th instant.

Very respectfully, your obedient servant,

Q. A. GILLMORE,
Major-General, Commanding.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Danville, Va., April 3, 1865.

I. H. WHITE, *Chief Surgeon:*

SIR: I am directed by the commanding general to instruct you to hold yourself in readiness to accompany him to Augusta, Ga., where our headquarters will be established.

By order of Daniel Ruggles, Commissary-General of Prisoners:

SAML. T. BAYLY,
Assistant Adjutant-General.

GENERAL ORDERS, No. 32. } HDQRS. TRANS-MISSISSIPPI DEPT.,
Shreveport, La., April 3, 1865.

All officers and men delivered on parole in this department previous to this date are exchanged and will immediately rejoin their commands.

By command of General E. Kirby Smith:

S. S. ANDERSON,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 4, 1865.

Bvt. Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

GENERAL: From the records of this office it appears that the prisoners named on the accompanying roll, who were captured by the forces of Major-General Steele in the Department of Arkansas prior to July 28, 1864, are still at Camp Chase, and the Commissary-General of Prisoners directs that immediately on the receipt of this you will please forward all of them, or as many as are present who desire to be exchanged, to Cairo, to be delivered to the commanding officer, who will be instructed to forward them with other prisoners of the same class to New Orleans for exchange. Return the inclosed roll to this office with a note opposite the name of each man showing whether he has been forwarded, or what disposition has been made of him. It is probable that some of these men have already been forwarded for exchange, have been discharged, or have died.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

(Same, *mutatis mutandis*, to Col. B. J. Sweet, Camp Douglas, Ill.; Bvt. Brig. Gen. A. A. Stevens, Camp Morton, Ind.; Col. J. H. Baker, Saint Louis, Mo.; Col. A. J. Johnson, Rock Island Barracks; Col. J. H. Kuhn, Alton, Ill., Col. C. W. Hill, Johnson's Island, and Brig. Gen. A. Schoepf, Fort Delaware, Del.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 4, 1865—5 p. m.

Brig. Gen. A. SCHOEPF, *Commanding Fort Delaware, Del.:*

Report by telegram to the commanding officer at Cairo, Ill., without unnecessary delay the number of prisoners to be forwarded for ex-

change under orders from this office of this date. Order sent by to-day's mail.

W. HOFFMAN,
Brevet Brigadier-General, Commissary-General of Prisoners.

(Same to Cols. B. J. Sweet, Camp Douglas; A. A. Stevens, Camp Morton; J. H. Kuhn, Alton, Ill.; J. H. Baker, Saint Louis, Mo.; A. J. Johnson, Rock Island, Ill.; C. W. Hill, Johnson's Island, Ohio.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 4, 1865.

Col. E. T. SPRAGUE, *Commanding, Cairo, Ill.:*

COLONEL: By authority of the War Department a number of prisoners of war have been ordered from Western camps and Fort Delaware to Cairo, from which point they are to be forwarded to New Orleans, to be turned over to Col. C. C. Dwight, agent for exchange. The following are the names of the stations from which the prisoners will be forwarded. The number to be sent will be reported to you by telegram by the commanding officers of the several stations, viz: Johnson's Island, Sandusky, Ohio; Camp Douglas, Chicago, Ill.; Camp Morton, Indianapolis, Ind.; Camp Chase, Columbus, Ohio; Rock Island, Ill.; Alton Military Prison, Alton, Ill.; Saint Louis Prison, Missouri; Fort Delaware, Del. On the arrival of these prisoners the Commissary-General of Prisoners requests you will please place them under a suitable guard, and when [they] are assembled, forward them to the agent for exchange at New Orleans. Duplicate rolls will be sent with each party, one of which is to be delivered to the rebel officer who receives them, and the other, with the officer's receipt upon it, is to be returned to this office by the agent for exchange. Please instruct the officer who is placed in charge of the prisoners accordingly.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
April 4, 1865.

Lieut. Gen. R. TAYLOR,
Commanding Army of Tennessee, C. S. Army:

GENERAL: I learn from a letter of Major Carlin, Seventy-first Ohio Volunteer Infantry (a copy inclosed*), that Captain Hanchett, Sixteenth Illinois Volunteers [Cavalry], and acting assistant adjutant-general on the staff of Colonel Capron, is being tried by court-martial at Cahaba, Ala., on the charge of being a spy. Captain Hanchett is an officer of the U. S. Army; has never been within the Confederate lines, except in the performance of his duties as an officer with troops. Should he be convicted and punished as a spy I assure you I shall make most ample retaliation.

I am, general, very respectfully,

GEORGE H. THOMAS,
Major-General, U. S. Army, Commanding.

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* Not found.

OFFICE SPECIAL COMMISSIONER,
Camp Chase, Columbus, Ohio, April 4, 1865.

General WILLIAM HOFFMAN:

SIR: Your letter of the 29th ultimo informing me that Lewis H. Baker, whose case was embraced in my report No. 1898, has not been discharged, is before me. It is obvious that the special design of your communication is to inform me that I am not to report upon the case of any military prisoner unless the same has been specially referred to me by the War Department; that I am not expected to take any personal interest in matters brought before me, and that my special duty is merely to report facts without the conclusions of my judgment. The intimation that I have exhibited a personal interest is founded, I presume, from the tenor of your letter, upon some note or letter written to the brother of the said Lewis H. Baker. I have no recollection of having uttered any such writing, nor can I recall any knowledge of any correspondence with any man of that name. I specially request that you will furnish me with the writing, that I may identify it and know that it is the work of my pen. The writing shall be returned to you. If this request is not consistent with rule or precedent will you be pleased to preserve it for my inspection, as it is my purpose to visit Washington during the present month. I am quite certain that I have no personal interest in Lewis H. Baker, or any member of his family, and am conscious of no motive why I should have entertained a favorable consideration of him or his case. If by personal interest is meant a wish for the release of one whom I esteem, after a full and impartial examination, to be meritorious and cordially loyal, or sympathy with the anxieties and efforts of relatives who are known or accredited to be truly loyal, or advice to any applicant as to the kind and amount of showing or testimony which may be needed to establish the fact of loyalty or innocence of charges preferred, I acknowledge that I possess it. If, however, by this phrase is meant partiality, prepossession, or prejudice, inconsistent with justice, self-respect, respect for the powers that be, or the staunchest loyalty, I repudiate the imputation and will afford you an opportunity at my contemplated visit of sustaining the expression or insinuation.

The position which I occupy, at any other than war times, would alike be undesirable and intolerable. But for the earnest solicitation of the Governor of this State, and the conviction that I could be more useful to the country in its calamities in this than in any other capacity, I would not have submitted to the sacrifices which I have made of comfort and profit in my profession. Notwithstanding the implication of your letter that cases have been examined without authority, I am not aware that any has been investigated without the request and reference of some branch of the War Department, excepting at the request of the Governor of West Virginia and the President of the United States; and here it is appropriate to state that, but for the expressed wishes and earnest encouragement and advice of President Lincoln, I would in November last have abandoned the place, notwithstanding the conviction that by doing so very many persecuted men, victims of rebel oppression, would have their cases unrepresented. It is matter of great gratification to me that I have been humbly instrumental, by reporting their condition, in securing the release of hundreds of truly loyal men, most of whom are now in Ohio in homes and occupations (obtained partly by my aid), and are vindicating and illustrating the justice and humanity of the Government by their loyal and law-abiding conduct. As to the instruction that I am not expected to give my judgment in the form of recommendation in any case, I

merely remark that more than one year since, after presenting reports without any recommendation, I was specially instructed by the judge-advocate not to submit any report without the conclusion of my judgment, until otherwise ordered by the Secretary of War. I shall, whilst maintaining this position, respectfully follow the suggestions of your letter. It will not be expected by the President or Secretary of War, or any other person knowing my professional advantages and position, that I can serve in the capacity of a mere reporter of the facts and conditions of prisoners. My pretensions, although not very exalted, range beyond so limited a sphere. Any justice of the peace can as well discharge such duties as myself. With this instruction my mission will soon end. But for my promise to the President and a conversation with the Provost-Marshal-General since the receipt of your letter I would now forward an absolute resignation. I will be gratified at the arrival of the hour when I can, consistently with my feelings of humanity and patriotism and my sense of justice, retire from a position which has for me no attractions of pleasure, profit, or distinction. I will acquaint the judge-advocate (Major Turner) immediately of my views and purposes in the matter. As my official intercourse has been specially with this branch of the War Department, it is alike courteous and proper that I should do so.

Respectfully, yours,

SAML. GALLOWAY.

N. B.—In connection with the mention of the Governor of West Virginia I ought to have stated that I have been authorized to examine cases from West Virginia at his request.

S. G.

FORT MONROE, VA., *April 5, 1865.*

Maj. G. BLAGDEN,

Asst. to Commissary-General of Prisoners, Washington, D. C.:

Depot for 8,000 prisoners will be established on Craney Island near Norfolk.* Send blanks and instructions to commanding officer, care of Maj. W. L. James, chief quartermaster, immediately.

W. HOFFMAN,

Commissary-General of Prisoners.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

Saint Louis, Mo., April 5, 1865.

Capt. JOSEPH McC. BELL,

Asst. Adjt. Gen., Mil. Dir. of the Missouri, Saint Louis, Mo.:

CAPTAIN: I have the honor to submit the following extract from report of Brig. Gen. Clinton B. Fisk, commanding District of North Missouri, for the information of the major-general commanding the Military Division of the Missouri:

> I have made a personal inspection of all the prisons in the district, examined each case myself, and turned over to the civil authorities every case not strictly military. At Saint Joseph I literally turned the prisons into the grand jury room, with a portion of the bar of Saint Joseph with them. Over three hundred indictments were found at Saint Joseph during the term just ended.

Very respectfully, your obedient servant,

G. M. DODGE,

Major-General, Commanding Department.

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* Was not established. See Hoffman to Grant, April 8, and Grant's reply, April 9, pp. 477, 480.

[APRIL 5, 1865.—For Wilson to Taylor, proposing to release on parole certain prisoners, see Series I, Vol. XLIX, Part II, p. 238.]

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., April 5, 1865.

Maj. Gen. SAM. JONES,
Commanding Confederate Forces in Florida:

GENERAL: I have submitted copies of the letters from you and General Pillow, concerning the receiving of certain Union prisoners of war at Jacksonville, to the major-general commanding Department of the South, and in the absence of specific instructions on the subject he has forwarded the proposal for the consideration of Lieutenant-General Grant.

Instructions from General Grant may be looked for on the 19th instant. Until they are received General Gillmore orders that no prisoners be received in this district.

I am, very respectfully, &c.,

E. P. SCAMMON,
Brigadier-General, Commanding.

GENERAL ORDERS, No. 38. } HDQRS. MIL. DIV. OF WEST MISSISSIPPI,
New Orleans, La., April 5, 1865.

The lieutenant-general commanding the Armies of the United States having directed that all rebel prisoners in close confinement or in irons be forwarded for special exchange for the same class of Federal prisoners held in the South, and that all citizen prisoners whose homes are within the rebel lines against whom there are no serious charges or who are not under sentence, and who wish to be exchanged, be delivered, on parole, for this purpose as early as practicable, commanding officers will forward without delay all such rebel prisoners now held at any of the stations within the limits of this command to the provost-marshal-general at these headquarters, to be exchanged or paroled accordingly.

A complete history of each case of those held in close confinement or in irons will accompany the rolls, and complete rolls will be sent of all citizen prisoners who remain in confinement, with the charges under which they are held.

By order of Maj. Gen. E. R. S. Canby:

C. H. DYER,
Captain and Assistant Adjutant-General.

SPECIAL ORDERS, No. 2. } HDQRS. C. S. MILITARY PRISONS EAST OF MISSISSIPPI RIVER,
Danville, Va., April 5, 1865.

1. Capt. W. G. Barth, assistant adjutant-general, will proceed without delay to inspect all the prisons and prison camps in this department west of Augusta. He will make a thorough inspection of every

department connected with this command at each place, and before leaving any place he will transmit a full report in writing to these headquarters, retaining a copy himself to supply information in case of loss of the original. On completing this duty he will return to these headquarters.*

Commandants and other officers will afford Captain Barth every facility for carrying out his orders. The quartermaster's department will furnish transportation.

By order of Brig. Gen. Daniel Ruggles:

SAML T. BAYLY,
Assistant Adjutant-General.

HEADQUARTERS CAMP SUMTER,
Andersonville, Ga., April 5, 1865.

Capt. W. S. WINDER,
Assistant Adjutant-General, Salisbury, N. C.:

CAPTAIN: Your telegraphic dispatch of the 3d instant was received yesterday. I herewith transmit prison reports up to 1st instant.† One thousand one hundred and two prisoners were shipped yesterday, 1,200 will go to-day, and to-morrow the balance will be sent. Less than twenty will remain here, being too ill to move. The route agreed upon is long, tedious, and expensive. They go to Albany, and thence march through Thomasville to Monticello, Fla., a distance of about eighty-five miles. I urged the route via Eufaula and Chattahoochee to Quincy, Fla., from whence, as at Monticello, they could take the cars to Jacksonville, Fla. General Jones, commanding District of Florida, objected to that route. The march would only have been twenty miles, viz, from Chattahoochee to Quincy. About thirty negroes, Louisiana slaves, captured at the battle of Natural Bridge, in Florida, have been ordered here by General Pillow as laborers.

Very respectfully, your obedient servant,

GEO. C. GIBBS.

NEW YORK, *April 6, 1865.*

Hon. E. M. STANTON:

I learn that Senator Foote arrived here last evening in a steamer from England. I am looking for him. If I find him what shall be done with him?

JOHN A. DIX,
Major-General.

WAR DEPARTMENT, *Washington City, April 6, 1865.*

General DIX, *New York:*

If Mr. Foote is found in New York arrest him, keep him in close custody, and send him back by first steamer.

EDWIN M. STANTON,
Secretary of War.

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*In another order of this date the same duties are devolved upon Lieut. R. B. Thomas, C. S. Army.

†For return see p. 459.

NEW YORK CITY, *April 6, 1865.*

E. M. STANTON, *Secretary of War:*

Mr. Foote called at my headquarters soon after I telegraphed you this morning. He is in Ludlow Street Jail. He has written a letter which I have sent you by mail.

J. A. DIX,
Major-General.

NEW YORK, *April 6, 1865.*

Henry S. Foote has the honor of reporting himself to Maj. Gen. John A. Dix as having just returned from the European continent, and anxiously desirous of proceeding as early as possible to his own residence in Nashville, where he engages to perform, in all respects, the duty of a good citizen and supporter of the Federal Union. He asks for no amnesty for past offenses, but is willing to suffer all the penalties which it may be deemed proper by President Lincoln and his political counselors to enforce generally upon that portion of the people of the South who have been heretofore engaged in that unhappy war, which he cannot but hope is now about coming to a close. To-morrow morning H. S. Foote will do himself the honor, if allowed to do so, of forwarding a special communication to President Lincoln, tendering his own full submission to Federal authority and his earnest desire to atone, in part, for past mistakes, by persuading such of his fellow-countrymen of the South as may be accessible to his influence at once to come back into the bosom of the Federal Union.

HDQRS. DISTRICT OF KEY WEST AND TORTUGAS,
April 6, 1865.

Lieut. Col. C. T. CHRISTENSEN,
Asst. Adjt. Gen., Hdqrs. Military Division of West Mississippi:

COLONEL: I have the honor to transmit the following inclosures: Copy of letter from General Jones, C. S. Army,* to Lieutenant-Commander Gibson, U. S Navy, proposing exchange of prisoners; copy of letter in reply;† copy of letter of General Newton to General Jones, proposing certain interrogatories.‡ I think it well to have permission to exchange prisoners in this district, though I think at the present moment we have but very few of their men, owing to my custom of sending prisoners of war to New Orleans. Not having a copy of the cartel in this office I should be obliged for a few for my guidance.

I have the honor, &c.,

JOHN NEWTON,
Brigadier-General, Commanding.

HEADQUARTERS NORTHERN DIVISION OF LOUISIANA,
Baton Rouge, La., April 6, 1865.

Col. C. C. DWIGHT, *Commissioner of Exchange, &c.:*

SIR: I have the honor to send to you on steamer Laurel Hill, which leaves here to-day, sixteen prisoners of war. Among the number is

* March 17, 1865, p. 405. † March 18, 1865, p. 411. ‡ March 28, 1865, p. 441.

Maj. Frank Clarke, assistant adjutant-general, who was recently captured at Clinton, La., and now suffering from bad health, and in consequence thereof I paroled him while here. He is reported to have treated our own prisoners while under his charge with much kindness and courtesy. If you can parole him or extend to him any kindness I think it will be well deserved. Fifteen of these men claim to have been prisoners at Elmira, N. Y.; from there they were sent to City Point and paroled by our Government. They, however, have only a statement to that effect from the authorities at Richmond. The Confederate authorities granted them a furlough during their parole, and while attempting to cross the Mississippi River were recaptured by our forces. Please inform what action to pursue if such circumstances occur hereafter.

I have the honor to be, colonel, your very obedient servant,

F. J. HERRON,
Major-General, Commanding.

SPECIAL ORDERS, No. 3. } HDQRS. C. S. MILITARY PRISONS EAST OF MISSISSIPPI RIVER, *Danville, Va., April 6, 1865.*

I. Capt. S. T. Bayly, assistant adjutant-general, will proceed as early as practicable to make an inspection of the prisons and the hospitals which are now and have been heretofore attached to the prison department at this place, and will report to these headquarters. Officers of department will afford Captain Bayly every facility for carrying out his orders, and will produce all books and papers which he may require in the discharge of his duty.

II. Chaplain W. T. Helms, First Tennessee Regiment, is assigned to duty temporarily in the military prison and hospital at Danville, Va., for the unexpired term of his assignment to duty in the hospital at Richmond, Va.

DANIEL RUGGLES,
Commissary-General of Prisoners.

SPECIAL ORDERS, No. 5. } HDQRS. COM. GENERAL OF PRISONERS, *Danville, Va., April 6, 1865.*

I. Brig. Gen. Bradley T. Johnson is assigned to the command of the prison district embracing Virginia, North Carolina, and South Carolina. He will report in person without delay to these headquarters for special instructions.

* * * * * * *

By order of Daniel Ruggles, Commissary-General of Prisoners:

S. T. BAYLY,
Assistant Adjutant-General.

GENERAL ORDERS, No. 57. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 7, 1865.*

Declaration of exchange of prisoners of war.

The following-named officers and enlisted men, Federal prisoners of war, are declared duly exchanged, having been delivered, for full

equivalents, at Mobile, Ala., March 4, 1865. They will accordingly immediately return to duty.*

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 62. } *Washington, April 7, 1865.*

Concerning declarations of exchange of prisoners.

Announcements having been made by commanding generals that certain prisoners of war were "declared duly exchanged," to correct a misapprehension upon this subject the following is made known as the proper course in all cases:

A declaration of exchange can only properly emanate from the office of the Adjutant-General of the Army. Whenever commanders are authorized to make exchanges their authority is confined to delivering prisoners of war and receiving others as equivalents. They should then furnish the Commissary-General of Prisoners with lists of all persons thus received and delivered, upon which the order declaring the exchange will be issued by the Adjutant General. Such lists should be full as to names, rank, place of capture, and place of delivery.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., April 7, 1865.

COMMANDING OFFICER CONFEDERATE FORCES IN FLORIDA:

SIR: I have the honor to return by flag of truce Privates Massey and Beckham, Second Florida Cavalry, who were irregularly captured pending flag of truce some time in February, 1865. Their arms and horses will be restored by next flag.

I am, sir, very respectfully, &c.

B. C. TILGHMAN,
Colonel. Commanding.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Danville, Va., April 7, 1865.

General S. COOPER,
Adjutant and Inspector General C. S. Army:

GENERAL: I ascertained from inquiry that the possession of most of the prison buildings at this place, with one exception, have been relinquished, and that the prospect is, so far as I can now estimate probabilities, that we shall need as much prison room here as during the past period. I therefore respectfully recommend that authority be given to resume, as far as is practicable, the occupancy of these prison

*Names of twenty-one officers and enlisted men here omitted.

buildings by this department. The capacity of four of the prison buildings here will not exceed 3,000, which I regard as a low estimate of the probable requirement. The utmost capacity of the buildings reserved will not exceed 700. There is no hospital accommodation, and in the event that the above recommendation be approved I recommend that a hospital building be turned over for the use of the prison department.

I am, general, very respectfully, your obedient servant,

DANIEL RUGGLES,
Commissary-General of Prisoners.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Danville, Va., April 7, 1865.

General S. COOPER, *Adjutant and Inspector General:*

GENERAL: I have the honor to state that at 8 o'clock this morning I received a telegram from Capt. W. S. Winder, assistant adjutant-general at my headquarters, at Salisbury, in the following terms:

Colonel Forno has over 300 prisoners. Where shall he go with them? This prison has been turned over to Ordnance Department.

An immediate reply being deemed necessary, a dispatch of which the following is a copy—

The general directs that you retain the prison buildings; place prisoners in them if practicable. Their transfer is not approved by him. Will communicate again on the subject.

S. T. BAYLY,
Assistant Adjutant-General.

was sent to Brig. Gen. Bradley T. Johnson, at Salisbury. In anticipation of personal investigation at that station, I respectfully [request] that the possession of those buildings be immediately resumed for prison purposes, as there appears to be want of time to make preparation for the convenient receipt of prisoners. And that, so far as my experience goes, the Ordnance Department, [in] both the architectural skill and facilities for this service, [are] in a far greater degree [better] than that of the department of Commissary-General of Prisoners.

I am, sir, very respectfully, your obedient servant,

DANIEL RUGGLES,
Commissary-General of Prisoners.

HEADQUARTERS C. S. MILITARY PRISONS,
Danville, Va., April 7, 1865.

Brig. Gen. DANIEL RUGGLES,
Commissary-General of Prisons, Danville, Va.:

GENERAL: I have the honor to make the following report of the condition of the C. S. military prisons at this post and at the same time of the number of officers and men connected with this branch of the service.

The prison department is now confined to one three-story brick warehouse capable of containing at the utmost 700 prisoners. Attached to this is a bake-house and cooking-range, with the capacity (after a few repairs) of preparing rations for 3,000 men. Opposite to this prison, in a large frame house, is a small room used as the commandant's office. This building was formerly used as a workshop for the benefit of the prisons and forces guarding, containing a shoe and

carpenter's shop, also a broom factory; but it, together with three brick warehouses used heretofore as prisons, had been turned over to the Quartermaster's Department pursuant to an order from Brigadier-General Gardner, dated March 6, 1865. The capacity of those buildings turned over to the quartermaster is estimated at 2,300, and I would most respectfully call your attention to the fact that, in anticipation of the receipt of a larger number of prisoners than 700, I would have no place to confine them. I have at present no hospital accommodations for Federal sick, but would state that before the exchange of prisoners confined here (2,300 in number) the three hospital buildings on the hill overlooking the depot, and under the charge of Doctor Fauntleroy, were used for the Federal sick, the number of patients averaging from 400 to 500. There is at present no guard force attached to the prisons. Officers and detailed men now on duty with this department are as follows:

Lieut. Col. Robert C. Smith, commandant; Lieut. John H. Allison, assistant commandant; Sergt. R. R. Grogan, clerk; Sergt. W. F. Dorsey, acting commissary; Private J. W. Draper, roll-call officer.

Trusting this will prove satisfactory, I have the honor to be, very respectfully, your obedient servant,

ROBERT C. SMITH,
Lieutenant-Colonel, Commanding.

HEADQUARTERS PRISON DEPARTMENT,
Salisbury, N. C., April 7, 1865.

Brig. Gen. DANIEL RUGGLES,
Commissary-General of Prisoners:

GENERAL: I had the honor of writing to you a few days since on the subject of a location for Federal prisoners of war. I am receiving quite a number at this place, the old prison has been given up to the Ordnance Department, and we have now no place suitable to hold prisoners of war. Five miles above High Point there is a large number of sheds, &c., and a good stream of water, and with but little work the place might be made, for from 5,000 to 8,000 prisoners, quite secure, so as to be easy of access for receiving prisoners from General Johnston's army or of exchange. This is the only available place anywhere in this vicinity, unless you should determine to go on with the prison on the Government land at Killian's Mills, Charlotte Railroad, near Columbia, S. C. I have taken the liberty of writing to you, being the senior officer of military prisons at this place.

I have the honor to be, your obedient servant,

H. FORNO,
Colonel, Commanding.

GENERAL ORDERS, No. 63. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, April 8, 1865.

The officers and men, prisoners of war, enumerated in General Orders, No. 25, Headquarters Military Division of West Mississippi, February 28, 1865, who were delivered to Col. C. C. Dwight, agent of exchange for that military division, at Red River Landing, La., on the 25th day of February, 1865, are declared duly exchanged.

By order of the Secretary of War:

W. A. NICHOLS,
Assistant Adjutant-General.

CITY POINT, VA., *April 8, 1865.*

Lieut. Gen. U. S. GRANT, *Commanding U. S. Armies:*

I am directed by the Secretary of War to consult you in reference to establishing a depot for prisoners of war near Fort Monroe. Newport News seems to be the most eligible place, and if you approve I will establish it there. Ten thousand to 20,000 prisoners will require a guard of two regiments. To whom shall I apply for them?

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

WAR DEPARTMENT,
Washington City, April 8, 1865—1 p. m.

Brigadier-General BARNES, *Point Lookout, Md.:*

Retain Capt. J. B. Castleman, alias Clay Wilson, prisoner of war, until further orders.

By order of the Secretary of War:

JAS. A. HARDIE,
Inspector-General U. S. Army.

HEADQUARTERS DEPARTMENT OF THE MISSISSIPPI,
Vicksburg, Miss., April 8, 1865.

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

I herewith inclose copy of a telegram* sent by me to the lieutenant-general three days ago. I have now sent Capt. G. A. Williams, First U. S. Infantry, commissary of musters, to Cairo to communicate with you.

The rebel commissioners, Colonel Watts and Lieutenant-Colonel Henderson, have now near this place about 5,000 of our prisoners under flag of truce awaiting exchange, and refuse to allow them to be sent on parole to Benton Barracks till they receive an equivalent. I request that a sufficient number of rebel prisoners be sent me from Rock Island and Alton for the exchange. There are no rebel prisoners at present in this department or that of the Gulf.

Very respectfully,

N. J. T. DANA,
Major-General.

U. S. HOSPITAL STEAMER R. C. WOOD,
Saint Louis, Mo., April 8, 1865.

Col. R. C. WOOD,
Assistant Surgeon-General, U. S. Army, Louisville, Ky.:

SIR: In reply to a telegram from the assistant surgeon-general's office, dated the 7th instant, I have the honor to state that the report required of how many sick prisoners were to be transferred, &c., was sent from Cairo on the 6th instant. In addition I would remark that the condition of these men, as we received them directly from the trains, was most deplorable. We had them clothed, however, rapidly by the assistance of the quartermaster at Vicksburg, and they were soon made comfortable. Twenty, however, died upon the trip. I would state that 2,500 sick in the same condition either are now, or soon will arrive, in

* See General N. J. T. Dana to General Grant, April 5, 1865, p. 483.

Vicksburg. I have every prospect this afternoon of obtaining an additional boat, probably the Baltic, belonging to the United States, and will have her fitted up by Monday, to act in concert with the Wood in their removal.

I understood at Vicksburg (as I stated in my last report) that these prisoners were all to be conveyed to Benton Barracks, Mo. I would respectfully suggest that communication be had with the War Department upon the subject as to whether a portion of the sick may not be taken to other points—Louisville, for instance—as I fear the Saint Louis hospitals may be crowded. I would respectfully request that instructions be forwarded to Cairo, to reach me on my next trip up, stating whether to proceed up the Mississippi or up the Ohio from that point.

I will telegraph as soon as the other boat is ready.

Very respectfully, your obedient servant,

THOMAS F. AZPELL,
Surgeon, U. S. Volunteers.

[APRIL 8, 1865.—For General James H. Wilson's order declaring exchanged all officers and men paroled by the enemy under arrangements entered into with General Forrest, C. S. Army, see Series I, Vol. XLIX, Part II, p. 271.]

CONFEDERATE STATES OF AMERICA, WAR DEPT.,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Danville, Va., April 8, 1865.

Brig. Gen. DANIEL RUGGLES,
Commissary-General of Prisoners, Danville, Va.:

GENERAL: In response to your communications of yesterday concerning prison buildings, I have been directed by the Adjutant and Inspector General to inform you that the buildings formerly used for that purpose at Salisbury, N. C., will be required temporarily for the use of the Ordnance Department, and others will be fitted up there for the accommodation of the small number of prisoners which you may have charge of. The prison buildings in this place will be used for such purposes of the Government as circumstances may render most urgent.

I am, general, very respectfully, your obedient servant,

JNO. WITHERS,
Lieutenant-Colonel and Assistant Adjutant-General.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Danville, Va., April 8, 1865.

General S. COOPER,
Adjutant and Inspector General C. S. Army:

GENERAL: I have the honor to request that an assistant commissary of subsistence be ordered to report to me for service. This officer is much needed at headquarters to supervise and direct the business of the subsistence department and to make personal inspections of the prisons. I desire an officer of decided business capacity, one who has already an enlarged experience in the administration as well as in the details of that service, and request that none other be ordered to report.

I am, general, very respectfully, your obedient servant,

DANIEL RUGGLES,
Commissary-General of Prisoners.

HDQRS. C. S. MIL. PRISONS EAST OF MISSISSIPPI RIVER,
Danville, Va., April 8, 1865.

Brig. Gen. BRADLEY T. JOHNSON,
Commanding First Prison District:

GENERAL: I am directed by Brigadier-General Ruggles, Commissary-General of Prisoners, to instruct you, in the execution of the duties devolving upon you commanding the First Prison District, to give your personal and special attention to that portion of the service immediately connected with the operations of General Lee's army in the field. The general desires that you make use of all available means to communicate by staff or other officers with General Lee, or with any officer who may be charged by him with the custody of prisoners of war who may be sent to the rear by him or under his authority, and to aid and facilitate their march to a safe prison station at Danville, or such other camp or station as may be found expedient to place them at, providing specially for their security and subsistence, and communicating, in case of emergency, in the absence of the general, with General Cooper, Adjutant and Inspector General, direct, and also to Col. Robert Ould, commissioner of exchange, the number and designation of the prisoners, and sending a duplicate of the same to his temporary headquarters, at Salisbury, N. C. He desires you to take all measures practicable or necessary for the care and humane treatment of the prisoners, making your requisitions on the local staff departments, and if necessary, in cases of emergency, you can communicate with the Adjutant-General directly in his name, and also with the heads of other staff departments, with a view of obtaining whatever may be needed in the execution of this special service which is committed to your charge. The general will furnish you, on application, with any officers in his department who are not already assigned to duty. The general desires full and explicit information of the details of your operations.

Major Turner, commandant of the Libby Prison, at Richmond, was instructed by the general to accompany General Lee's army and receive such prisoners as might be turned over to him. He is placed under your command, and you will please communicate with him as early as practicable. In the event that you have not already done so, the general desires you to make similar arrangements with General Johnston and his army.

By order of General D. Ruggles:

SAML. T. BAYLY,
Assistant Adjutant-General.

DANVILLE, VA., *April 8, 1865.*

Capt. R. B. WINDER, *Chief Quartermaster, Salisbury, N. C.:*

The general directs that you send a reliable agent to attend to your business at Augusta and Macon. You can go to Columbia if you desire before your services are required.

SAML. T. BAYLY,
Assistant Adjutant-General.

DANVILLE, VA., *April 8, 1865.*

Capt. W. S. WINDER, *Assistant Adjutant-General:*

The vacated building cannot be retained. Make the best arrangements for the prisoners you can.

SAML. T. BAYLY,
Assistant Adjutant-General.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Danville, Va., April 8, 1865.

Lieut. Col. R. C. SMITH, *Commanding Prison:*

COLONEL: The Commissary-General of Prisoners orders that you make immediate preparations for the reception of 1,200 prisoners at this place. You will have the building now under your charge properly cleaned and ventilated, and will notify the commissary that you will require rations for this number of prisoners.

Respectfully, your obedient servant,

SAML. T. BAYLY,
Assistant Adjutant-General.

[APRIL 9, 1865.—For surrender of the Army of Northern Virginia and resulting correspondence relating to paroles of officers and men, transportation to their homes, subsistence, &c., not published in this series, see Series I, Vol. XLVI, Parts I and III.]

CITY POINT, VA., *April 9, 1865.*

Major-General WEITZEL, *Commanding, &c., Richmond, Va.:*

I have just received the following telegram from Lieutenant-General Grant:

CLIFTON HOUSE, *April 9, 1865.*

General HOFFMAN:

I approve Newport News as a place for holding prisoners of war. It being in the Department of Virginia, General Ord will furnish guards.

U. S. GRANT,
Lieutenant-General.

Please order two regiments to guard prisoners of war at Newport News. Reply requested.

W. HOFFMAN,
Commissary-General of Prisoners.

HEADQUARTERS DRAFT RENDEZVOUS,
Hart's Island, New York Harbor, April 9, 1865.

Brig. Gen. H. W. WESSELLS, *Commanding Rendezvous:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 9, 1865:

Conduct—good. Cleanliness—middling. Clothing—poor. Bedding—none in use. State of quarters—good. State of mess-houses—none in use. State of kitchen—fair. Food, quality of—good. Food, quantity of—full allowance. Water—good. Sinks—good. Police of grounds—fair. Police of hospital—none erected but greatly needed. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—There is no hospital erected but should be immediately. There is no surgeon in attendance. About ten cases of sickness; none considered dangerous. There should be a supply of large knives and ladles, &c., furnished for kitchens, also tools for policing.

Very respectfully, your obedient servant,

WM. H. FOLK,
Lieutenant and Acting Aide-de-Camp, Inspecting Officer.

[Indorsement.]

Two thousand and twenty-nine prisoners of war were received on the 7th instant. They seem to be healthy with few exceptions, and tolerably well clothed. Application will be made for a medical officer and hospital tents will be put up for temporary use. There is no hospital for the prison camp. The guard is entirely insufficient, consisting of a small detachment sent with them from City Point. Three hundred and fifty effective men are required.

Respectfully referred to the Commissary-General of Prisoners.

H. W. WESSELLS,
Brigadier-General of Volunteers, Commanding.

[APRIL 9, 1865.—For tabular statement of officers and men of the Confederate Army paroled at Appomattox Court-House, Va., see Series I, Vol. XLVI, Part I, p. 1277.]

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, April 9, 1865.

ADJUTANT-GENERAL OF THE ARMY:

I have the honor to report that a special delivery of prisoners of war took place near this place yesterday, and also to inclose a copy of the rolls, and of Special Orders, No. 126,* from these headquarters, ordering the officers and men delivered to us to proceed to Benton Barracks, there to await a declaration of exchange from the Adjutant-General's Office. It will be seen that the Confederate authorities have declared these men exchanged, and, it is understood, will send their men to duty at once. I therefore request that a similar declaration be made in behalf of our men as quickly as practicable.

I am, very respectfully,

N. J. T. DANA,
Major-General.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 22, 1865.

Respectfully referred to the Adjutant-General, with the recommendation that the officers and enlisted men named in the within order be declared exchanged and ordered to report to their respective regiments with permission to delay thirty days en route, the equivalents for whom they were delivered having been declared exchanged by the rebel authorities.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS ARMIES, *Appomattox, April 9, 1865.*

Maj. Gen. N. J. T. DANA:

All settlements for exchanged prisoners were to be made with Colonel Ould, Confederate agent, and the agreement to receive them at various

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* Omitted.

points was for the accommodation of the South, their railroads being so broken that they could not conveniently deliver all on the James. Say to the officer who has our prisoners for delivery that any that are due to the South will be delivered at Vicksburg.

U. S. GRANT,
Lieutenant-General.

MRS. JONES' HOUSE,
Near Lynchburg Road, Appomattox County, April 9, 1865.

Lieut. Gen. U. S. GRANT, U. S. Army:

I deem it my duty to inform you that I am here with four officers and attachés of the Exchange Bureau, personal baggage, and material records of my office in which the United States Government and people are interested. I am here under flag of truce for the purpose of meeting any questions connected with the delivery and exchange of prisoners and with no other view whatever. I am now, I believe, within your lines and have been only since this morning. I avail myself of the first opportunity to notify you of this state of facts. I am ready to obey any direction you may give with reference to myself and party. If agreeable to you, I will thank you for either a safeguard or some writing which may serve as a protection.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

At the suggestion of Captain McGinley I have come to the front, and am now with the army train, Sixth Corps.

RO. OULD,
Agent of Exchange.

HEADQUARTERS DISTRICT OF EASTERN VIRGINIA,
Norfolk, Va., April 9, 1865—3 p. m.

General HOFFMAN, *City Point:*

Your telegram of the 8th just received. I sent Colonel Martindale yesterday to Newport News to report as to capacity of that place for prisoners. I find a stockade will have to be built, and that the place possesses no greater advantages than does any other situated upon a river, with a landing, a few houses, and a saw-mill near. Colonel Martindale thinks it will take about 700 men, with artillery and a stockade, to guard from 12,000 to 15,000 prisoners. An island somewhere is better than Newport News. I await definite instructions.

GORDON,
General.

CITY POINT, VA., *April 9, 1865.*

Brig. Gen. G. H. GORDON, *Commanding, &c., Norfolk, Va.:*

The prison depot will be established at Newport News, and Major-General Ord has been directed to detail a suitable guard. It may be found necessary to occupy Craney Island for the hospital.

W. HOFFMAN,
Commissary-General of Prisoners.

HDQRS. TRANS-MISSISSIPPI DEPARTMENT,
OFFICE ASSISTANT AGENT OF EXCHANGE,
FLAG-OF-TRUCE BOAT GENERAL HODGE,
Mouth of Red River, April 9, 1865.

Capt. W. H. STERLING,
Agent of Exchange and Commissary of Prisoners,
Military Division of West Mississippi:

CAPTAIN: I have the honor to inform you that in obedience to inclosed order from the general commanding Trans-Mississippi Department I shall, after the delivery at Alexandria, La., of the C. S. prisoners received from you this day, immediately return to this place and await further action.

Very respectfully, your obedient servant,
IG. SZYMANSKI,
Asst. Agent of Exchange, Trans-Mississippi Dept., C. S. Army.

[Inclosure.]

HEADQUARTERS TRANS-MISSISSIPPI DEPARTMENT,
Shreveport, La., April 3, 1865.

Maj. IG. SZYMANSKI, *Assistant Agent of Exchange:*

The general commanding directs that you proceed to the mouth of Red River with flag of truce for the purpose of conducting the exchange of prisoners agreed upon on July 28, 1864. If the Helena and Donaldsonville prisoners are not yet ready for delivery you are directed to remain at or near the mouth of Red River until you receive a definite answer concerning them.

Very respectfully, your obedient servant,
W. R. BOGGS,
Brigadier-General and Chief of Staff.

[APRIL 10, 1865.—For agreement in regard to the surrender of the Army of Northern Virginia, see Series I, Vol. XLVI, Part III, p. 685.]

MEMPHIS, *April 10, 1865.*

Brigadier-General TOWNSEND, *Assistant Adjutant-General:*

SIR: Pursuant to instructions from Major-Generals Canby and Dana, I have to report that there are in the neighborhood of Vicksburg about 4,700 Union prisoners awaiting exchange, of which seventy-four are Government employés and thirty-nine citizens; the remainder soldiers. The rebel commissioner agrees to release the thirty-nine citizens unconditionally, but refuses to deliver the others to be paroled and sent to Benton Barracks, as he does not know the terms of Lieutenant-General Grant's cartel, and his communication with his Government is cut off. The general directs me to telegraph for instructions how to act in the case.

On the 5th of April Major-General Dana forwarded the following telegram to Lieutenant-General Grant, but on account of his recent movements and the pressing need of the prisoners he directed me to telegraph it to you and ask a reply:

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 5, 1865.

Lieut. Gen. U. S. GRANT:

The Confederates have about 5,000 of our men in camp under flag of truce about four miles from here, which they refuse to deliver to us on parole unless they receive

an equivalent here or notice of one having been delivered to them on the James River. Will you please order 5,000 Confederates or their equivalents sent here from the Western prisons, or a delivery to be made on the James, and send official notice here? Capt. G. A. Williams, commissary of musters, will await your answer at Cairo, and is able to make such explanations as you may require.

Very respectfully, your obedient servant,

N. J. T. DANA,
Major-General.

Very respectfully, your obedient servant,

GEO. A. WILLIAMS,
Captain, First U. S. Infty., Commissary of Musters, Dept. of Miss.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 10, 1865.

Maj. Gen. G. WEITZEL, *Commanding, &c., Richmond, Va.:*

I have the honor to inclose herewith copies of the several orders which have been issued from the War Department in reference to the control of prisoners of war, and I respectfully request the necessary instructions may be given to the provost-marshal in Richmond to carry out these orders. I will cause him to be supplied with all necessary blanks and copies of the within orders. The same regulations are observed at hospitals of prisoners of war as at prison stations, and for the greater convenience I request that the provost-marshal who has the charge of prisoners of war in Richmond may include in his reports all prisoners in hospital.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., April 10, 1865.

Maj. JOHN C. GRAY, Jr., U. S. Volunteers, *Hilton Head, S. C.:*

MAJOR: You are directed to proceed upon the steamer Anna Maria to Darien, Ga., and receive thereat such of our officers and soldiers now prisoners of war as the so-called Confederate military authorities may deliver to you and may parole for future exchange according to any arrangements which have been or may be made between Lieutenant-General Grant, U. S. Army, and the so-called Confederate authorities. You will carefully muster the officers and men so received, verify the rolls which accompany them, and receipt for them as paroled prisoners of war subject to be exchanged hereafter according to the terms stated above and not liable to be recaptured until regularly exchanged. You will arrange with the officer in charge of the flag of truce that the camp stores, vessels, officers, guards, and civilian employés under your control shall be protected by your flag of truce from capture or hostile molestation so long as the paroled prisoners remain at Darien and sufficiently long thereafter to enable all the stores and men to be removed. You will see that the limits protected by your flag of truce are large enough to furnish sufficient wood, water, and room for the proper exercise of the paroled prisoners. You will send the paroled prisoners whom you may receive to Hilton Head as rapidly as your means of transportation will allow, turning them over

to the provost-marshal at this point. Major Thompson, provost-marshal general, Department of the South, will be ordered to relieve you as soon as possible, and you will then turn these instructions over to him.

Very respectfully, yours,

Q. A. GILLMORE,
Major-General, Commanding.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., April 10, 1865.

Maj. Gen. SAM. JONES,
Commanding Confederate Forces, Florida:

GENERAL: I send under flag of truce some articles of clothing, &c., for the use of Mr. White, assistant engineer, U. S. Navy, and the men captured with him. The two men, Privates Massey and Beckham, referred to in your letter of April 7, were returned on the 7th instant. They had just been received at this post from Hilton Head.

I submit to you that the same reasons that have induced you to return Assistant Surgeon Willard apply equally to the persons who accompanied him and the boat in which they were, inasmuch as the boat was the private property of Surgeon Willard, and the party on board was no more than sufficient to man her and was entirely unarmed. The capture was made at 5 p. m., April 6. On the morning of that day a flag of truce left this post for your lines, returning about 2 p. m. A flag from your lines was on its way hither on the afternoon of the same day at the very time the boat was captured. Under these circumstances I trust that you will order their release.

Very respectfully, your obedient servant,

B. C. TILGHMAN,
Colonel Third U. S. Colored Troops, Commanding.

NAVY DEPARTMENT, *Washington, April 11, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: The Department has the honor to request that instructions may be given for the release of any of the officers and crew of the prize steamer Hope who may be now imprisoned at Point Lookout and are foreign subjects.

Very respectfully, &c.,

G. WELLES,
Secretary of the Navy.

[Indorsement.]

WAR DEPARTMENT, *April 14, 1865.*

Referred to the Commissary-General of Prisoners with directions to comply with the request of the Secretary of the Navy.

C. A. DANA,
Assistant Secretary of War.

HEADQUARTERS OF THE ARMY,
Washington, D. C., April 11, 1865.

Major-General HANCOCK, *Winchester:*

GENERAL: It will be well to have blank parole papers prepared for detachments and stragglers from Lee's army to be filled up with a

description of the person; the paroles to be signed in duplicate, one copy to be given to the party and the other sent to the Adjutant-General of the Army. Lists should also be kept by paroling officers.

H. W. HALLECK,
Major-General and Chief of Staff.

(Same to Major-General Augur, Washington.)

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 11, 1865.

Lieut. Col. C. T. CHRISTENSEN,
Asst. Adjt. Gen., Military Division of West Mississippi:

I have the honor to forward herewith a roll of Federal prisoners of war received at this place from the enemy on the 8th instant, and also a roll of rebel prisoners of war delivered in exchange for them.

I also forward for the information of the major-general commanding a copy of paragraph 4 of Special Orders,* No. 126, current series, from these headquarters, and a copy of my letter† to the Adjutant-General of the Army, advising him of this delivery of prisoners, and asking for a speedy declaration of exchange.

The enemy's commissioner has already ordered the men delivered to him to report to their regiments for duty, and I regret that I have it not in my power to make a similar declaration of exchange in behalf of our men.

Capt. G. A. Williams left here on Saturday for Cairo to communicate with Lieutenant-General Grant by telegraph in regard to the present status of our men held by the enemy at Four-Mile Bridge. I inclose a copy of my telegram announcing Captain Williams' mission to the lieutenant-general.‡ It will be seen that I have asked that 5,000 men be sent here from the Northern prisons to be delivered in exchange for the men already here or actually en route for this place. The number of men now in camp at Four-Mile Bridge is upward of 4,500.

I am, respectfully,

N. J. T. DANA,
Major-General.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 11, 1865.

Lieut. ED. L. DAVENPORT,
Fifty-second U. S. Colored Infantry:

I arranged with Colonel Henderson, assistant special agent of exchange, U. S. Army, this morning that he should deliver all Government employés and citizens at Four-Mile Bridge to us on parole, to be sent to Benton Barracks, there to await exchange, and also that he should deliver to us all men of the One hundred and thirty-seventh Illinois Infantry (whose term of service has expired), also to be sent to Benton Barracks on parole and there to await exchange. The major-general commanding directs that you, in Captain Williams' absence,

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* Omitted.
† See Dana to Adjutant-General of the Army, p. 481.
‡ See April 5, p. 483.

complete these agreements. You will show Colonel Henderson this communication and render him every assistance in your power in making the rolls, &c.

I am, sir, respectfully,

FREDERIC SPEED,
Assistant Adjutant-General.

SPECIAL ORDERS, } HDQRS. DEPARTMENT OF THE GULF,
No. 97. } *New Orleans, April 11, 1865.*

* * * * * * *

5. The fifty bales of cotton now on the flag-of-truce-boat Ohio Belle, sent to this city by Major Szymanski, agent of exchange Trans-Mississippi Department, for sale, and the proceeds to be distributed for the relief of Louisianians, prisoners of war, will be sold by Mr. A. P. Noblom, under the supervision of Colonel Holabird, chief quartermaster of the department, and the proceeds deposited in the First National Bank of New Orleans, subject to the order of the major-general commanding the Military Division of West Mississippi. The proceeds of the sale will be reported to headquarters Military Division of West Mississippi.

6. The five bales of cotton sent to this city by the commanding general of the Trans-Mississippi Department, to be applied in payment for clothing belonging to Federal prisoners lost in transit from Galveston to Tyler, Tex., will be sold by Col. S. B. Holabird, chief quartermaster of the department, and the proceeds reported to Washington, D. C., for the orders of the Quartermaster-General U. S. Army. The proceeds of this sale will be reported to headquarters Military Division of West Mississippi.

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By command of Major-General Hurlbut:

J. C. STONE,
Captain and Assistant Adjutant-General.

HEADQUARTERS CAMP SUMTER,
Andersonville, Ga., April 12, 1865.

Capt. W. S. WINDER,
Assistant Adjutant-General, Salisbury, N. C.:

CAPTAIN: In a communication I had the honor to make to you on 10th instant I find that I did great injustice to Captain Rutherford. I have not seen or heard from that officer, but I learn from General Pillow that Captain Rutherford did make the arrangement with General Scammon for the exchange of prisoners at Jacksonville, but that subsequently General Gillmore ordered him not to receive them until General Grant could be consulted in the matter. Reply from the latter was expected on 19th instant. I make this statement unsolicited as an act of justice to Captain Rutherford. In writing to you on 10th instant I believed that the source whence I derived my information was reliable.

Eleven hundred prisoners returned yesterday, the others will probably reach here to-day and to-morrow.

Very respectfully, your obedient servant,

GEO. C. GIBBS,
Colonel, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 13, 1865.

Col. J. H. DAVIDSON,
Commanding Prison Depot, Newport News, Va.:

The stockade must be built by the prisoners. Two or three enlisted men, carpenters, may be detailed to have charge of the work. Until prisoners arrive detail fatigue parties daily to put the lumber on the ground and set the posts.

W. HOFFMAN,
Commissary-General of Prisoners.

HEADQUARTERS MIDDLE MILITARY DIVISION,
April 13, 1865.

General W. H. EMORY:

All deserters and stragglers from Lee's army must be brought in as prisoners of war unless specially paroled. All who desire can be paroled on the same conditions as were given to Lee.

C. H. MORGAN,
Brevet Brigadier-General, &c.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., April 13, 1865.

Rear-Admiral J. A. DAHLGREN,
Comdg. South Atlantic Blockading Squadron, Charleston Harbor:

ADMIRAL: In a letter to you dated March 27, ultimo, I had the honor to state that I expected to make an exchange of prisoners at Darien, Ga., on or about the 8th instant, and requested you to send one or two gun-boats to the Altamaha River near Darien at that time. On the 10th instant Maj. J. C. Gray, jr., of my staff, proceeded thither under my direction, and after conferring with Commander Thompson, commanding gun-boat Cimarron, on the 11th proceeded to Darien, where he failed to discover a single human being. Should the prisoners be brought there for exchange now a great amount of suffering must necessarily ensue, unless we are speedily informed of their arrival. I have no means of communication with that locality, and my water transportation is very limited. I have, therefore, to request, if not incompatible with the interests of the public service, that Commander Thompson may be directed to remain there for at least a week or ten days, so that there may be no unnecessary delay in case the prisoners should still be brought there, and that if they arrive he may be directed to communicate the fact to me at once.

I am, very respectfully, your obedient servant,

Q. A. GILLMORE,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 13, 1865.

Col. N. G. WATTS,
Confederate Agent of Exchange, Big Black River:

The following telegram has just been received from General Grant. General Dana expects that you will immediately deliver all officers and men under your control agreeably to Colonel Ould's order:

HEADQUARTERS ARMIES OF THE UNITED STATES,
April 10, 1865.

CONFEDERATE OFFICER HAVING CHARGE OF PRISONERS,
Vicksburg:

All Federal officers and men who are held as prisoners by the Confederate authorities must be delivered at Vicksburg, or any other point where the Federal military authorities are willing to receive them. No equivalents are to be demanded. By agreement with General Grant equivalents are to be given on James River.

RO. OULD,
Agent of Exchange.

HEADQUARTERS ARMIES OF THE UNITED STATES,
April 10, 1865.

Capt. G. A. WILLIAMS, *Cairo, Ill.:*

Please take the preceding dispatch to General Dana, Vicksburg, for delivery to the Confederate officer in charge of Federal prisoners near that point.

U. S. GRANT,
Lieutenant-General.

Please give Colonel Henderson the necessary orders to make the rolls, so that he may deliver us a boat load by to-morrow noon. Colonel Henderson is in town, and any dispatch received from you will reach him if sent to these headquarters before 3 o'clock.

FREDERIC SPEED,
Assistant Adjutant-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT FOR EXCHANGE,
New Orleans, La., April 13, 1865.

Maj. IG. SZYMANSKI,
Asst. Agent for Exchange, Trans-Miss. Dept., C. S. Army:

SIR: As I have no prisoners whatsoever at my disposal which I could deliver to you, it will hardly be possible for me to proceed again to Red River Landing at present, unless some urgent business which you may have to communicate would require it.

From the inclosed letter, written by Colonel Dwight to General Hitchcock,* you will learn that no pains on the part of the exchange office have been spared to not only cancel indebtedness existing, but to relieve you also as early as possible of all U. S. prisoners now in Texas, but unfortunately the effort made has as yet not been successful, owing, probably, to some oversight, but I am in hopes that I will soon have a sufficient number of C. S. prisoners here to enable me to effect a speedy general exchange.

I will write at once to the Secretary of War and to the Commissary-General of Prisoners in regard to prisoners in the North, such as Generals Marmaduke and Cabell, and all prisoners belonging to Trans-Mississippi Department, and request that all be sent immediately to this depot for exchange. I shall also send for all blockade-runners.

If possible for you to parole any of our prisoners I shall be happy to take them, and will render equivalents at the earliest practicable moment. I will endeavor to get receipts for naval prisoners from Major Curell, at Mobile.

I have the honor to inclose extracts of Special Orders, No. 97,† which will show you that the disposal of the cotton has been made agreeably to your instructions.

Should you wish to have another immediate rendezvous at Red River Landing on some matters of importance at present unknown to me,

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* See March 14, p. 396. † See April 11, p. 487.

please send me a communication through the gun-boats and I will meet you at any time you may be pleased to designate.

I am, sir, very respectfully, your obedient servant,

W. H. STERLING,
Captain, First U. S. Infantry, Agent of Exchange.

[APRIL 13, 1865.—For Curell to Surget, in regard to exchange of Confederate prisoners captured at Spanish Fort and Blakely, Ala., see Series I, Vol. XLIX, Part II, p. 1237.]

HEADQUARTERS, *April 13, 1865.*

Col. H. BERTRAM:

General Bailey is ordered to prepare a sufficient number of sea-going vessels to take your prisoners to Ship Island. He will report to you the moment the vessels are ready for the reception of the prisoners at Starke's Wharf.

P. J. OSTERHAUS,
Chief of Staff.

[APRIL 14, 1865.—For reports and correspondence relating to the assassination of President Lincoln and measures for arrest of the assassins, see Series I, Vol. XLVI, Parts I and III.]

[APRIL 14, 1865.—For Johnston to Sherman, asking suspension of hostilities, and resulting correspondence, see Series I, Vol. XLVII, Part III, p. 206 *et seq.*]

WASHINGTON CITY, D. C., *April 14, 1865.*

General WILLIAM HOFFMAN,
Commissary-General of Prisoners:

SIR: For the use of the Secretary of War I request you to hand me lists of the names of the applicants for discharge among the rebel prisoners of war. A full list is not at once necessary, but let them be as large as may be conveniently made to-day, to be continued from day to day until the names shall be exhausted, keeping the lists, as far as possible, separate for the prisoners at the separate depots, so that each list may, if approved by the Secretary of War, be sent to the commanding officer where the prisoners are.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Volunteers, Commissioner of Exchange.

HDQRS. DEPARTMENT OF ALA., MISS., AND EAST LA.,
Meridian, April 14, 1865.

Maj. Gen. E. R. S. CANBY,
Commanding U. S. Forces at Mobile, Ala.:

GENERAL: I have the honor to inform you that I send by flag of truce to your lines Maj. James R. Curell, one of the assistant agents for exchange of prisoners appointed by the Confederate States Government to confer with you, or your authorized agent, in regard to the

exchange of prisoners captured in your recent operations around Mobile, for a like number of U. S. prisoners already paroled and delivered by me at Vicksburg, or for their delivery on parole in accordance with the terms of the cartel agreed upon by the Governments of the Confederate and United States.

I have the honor to be, respectfully, your obedient servant,

R. TAYLOR,
Lieutenant-General.

HDQRS. MIL. DIV. OF WEST MISS., OFFICE OF EXCHANGE,
New Orleans, La., April 14, 1865.

Maj. Gen. E. A. HITCHCOCK, *Commissioner of Exchange, &c.:*

GENERAL: I have the honor respectfully to call your attention to the inclosed letter,* written by Colonel Dwight and explaining in a general way the affairs of exchange of prisoners. The inclosed letter specifies that we have at present over 1,600 men who are prisoners in Texas, and there constantly exposed to more or less severe treatment on the part of the officers and men forming the guard over the forts, stockades, &c., in which they are confined, and are actually in want of almost all articles of comfort, and very often suffer for the necessities of life or wholesome food. Hundreds have contracted diseases while imprisoned because they were unable to keep their clothing in proper condition, or had but very little or no clothes at all, and many have died in consequence of exposure. To alleviate their sufferings and bring them back again where they could immediately be of service to the Government it is only necessary to carry out the steps agreed upon in the cartel of July 28, 1864, between the United States and the so-called Confederate States. If the prisoners of war belonging to this department would, as agreed upon, be brought here for exchange, such as Generals Marmaduke, Cabell, and their respective commands, it would at once not only enable us to cancel our present indebtedness, but it would enable us also to exchange all our prisoners confined in Trans-Mississippi Department. I have requested Major Szymanski, assistant agent of exchange in Trans-Mississippi Department, to parole and deliver to us part or all of our prisoners in Texas at some not very distant period, and he has promised to refer the request to the respective authorities and to recommend it, providing we would give him some proof or assurance that we would rapidly deliver equivalents for them. And I hereby have the honor to request that the general will please give the case his attention and cause the prisoners of war belonging to the Trans-Mississippi Department to be brought here for exchange.

I am, general, very respectfully, your obedient servant,

WM. H. STERLING,
Captain, First U. S. Infty., Com. and Agent for Exchange,
Military Division of West Mississippi.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 14, 1865.

Maj. Gen. N. J. T. DANA, *Commanding, Memphis, Tenn.:*

GENERAL: The telegram of Capt. George A. Williams in reference to the delivery of paroled prisoners at Vicksburg has been referred to this office, and to meet the objection of the rebel agent I have the

* See Dwight to Hitchcock, March 14, p. 396.

honor to inclose herewith copies of correspondence* on the subject of this exchange, from which you will perceive that the delivery at Vicksburg is provided for. If equivalents have not already been delivered for those we are to receive at Vicksburg, which will be ascertained as soon as I can balance the deliveries made up to this time, they will be immediately forwarded to Vicksburg. I have telegraphed the substance of the above to Capt. G. A. Williams, at Cairo, to-day. Our paroled prisoners are usually in a very pitiable condition from starvation and exposure when delivered to us, and the Secretary of War desires that all proper measures be taken to relieve their sufferings as soon as they are placed in our hands. The Surgeon-General has been notified of the expected delivery at Vicksburg, and he will doubtless give all necessary instructions to provide hospital accommodation for such of the paroled men as may require it.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 14, 1865.

Capt. GEORGE A. WILLIAMS, *First U. S. Infantry, Cairo, Ill.:*

Mr. Ould, Confederate agent for exchange, has agreed to deliver at Mobile, or such other convenient point as may be designated, all prisoners of war held by them east of the Mississippi, and Vicksburg has been so designated. Equivalents have been delivered on the James River, or will be, at any point that is now accessible. I send to General Dana by mail copies of the correspondence in relation to this exchange. Report if the prisoners are delivered.

W. HOFFMAN,
Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 14, 1865.

Capt. GEORGE A. WILLIAMS, *First U. S. Infantry, Cairo, Ill.:*

Please say to Major-General Dana that the Secretary of War desires that all proper measures be taken to provide for the comfort of paroled prisoners delivered at Vicksburg or other points on the Mississippi.

W. HOFFMAN,
Commissary-General of Prisoners.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 14, 1865.

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington:

About 4,700 prisoners have crossed Big Black and several small lots are to come. The Confederates would have delivered here about 11,000 men if their communications had not been interrupted by Wilson.

*See Mulford to Ould, February 16, p. 238; Ould's instructions to Rutherford, February 20, p. 277, and Cobb to Grover, March 16, p. 403.

About 1,100 are sick, 400 of whom have gone to Benton Barracks, and the remainder will be sent there as soon as the hospital steamers are ready to take them. The rest of the prisoners are in excellent health, the Cahaba prisoners particularly. Nearly all the sick are from Andersonville. Under Colonel Ould's order, Colonel Watts, the rebel agent, is getting ready to turn over all the men to us, when they will be sent North as rapidly as possible. He, however, still asks for Forrest's and other Southwestern rebel soldiers to be exchanged here.

Very respectfully,

N. J. T. DANA,
Major-General.

WAR DEPARTMENT,
Washington City, April 15, 1865—4.10 a. m.

U. S. MARSHAL, *Portland, Me.:*

Arrest Jacob Thompson and his companion, whose name is believed to be Blankman, and who are either in Portland or on the way to Portland from Montreal en route to Europe.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

WAR DEPARTMENT, *Washington City, April 15, 1865.*

PROVOST-MARSHAL, *Portland, Me.:*

Do not fail to catch Thompson and Tucker if they come across the line.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS POST,
Newport News, Va., April 15, 1865.

Doctor CRAVEN, *Medical Director, Fort Monroe, Va.:*

SIR: I have the honor to recommend that the hospital for prisoners confined at Newport News, Va., be transferred from Craney Island to the prison inclosure at this point. The establishment of hospitals at the island causes confusion in the reports and endless trouble and expense in transferring prisoners and providing for their comfort. There is ample room in the inclosure now being erected for 10,000 prisoners and hospitals for all the percentage of sick out of this number. I think hospital tents would be all that we would require here through the summer, and if the camp becomes permanent, buildings suitable can be erected by the prisoners themselves. The force for guarding these prisoners is so small that I fear many will escape from Craney Island, if that continues to be used for hospital purposes. The commissary and quartermaster of this post are expected to supply all the wants of the force on the island, and hence a boat will have to ply regularly between here and there. I think the establishment of hospital accommodations within the inclosure will be preferable for the following reasons: First, it will be much more secure; second, one guard will be sufficient; third, it will be much less expensive to Government.

In view of the above facts I trust you will order the immediate removal of all hospital stores to this post and the establishment of hospitals within the inclosure.

I am, sir, very respectfully, your obedient servant,

J. HAM DAVIDSON,

Colonel 122d U. S. Colored Troops, Comdg. Prisoners' Depot.

[Indorsement.]

MEDICAL DIRECTOR'S OFFICE,
Fort Monroe, Va., April 17, 1865.

Respectfully forwarded to General Hoffman, Commissary-General of Prisoners.

I have investigated the matter carefully and fully concur in the opinion of the colonel commanding the prison camp, and would respectfully recommend the removal of the prison hospital to or near the prison camp.

JOHN J. CRAVEN,

Surgeon, U. S. Vols., and Chief Medical Officer, Fort Monroe, Va.

GENERAL ORDERS, No. 37. } HDQRS. DEPARTMENT OF THE GULF,
New Orleans, La., April 15, 1865.

Pursuant to instructions from headquarters Military Division of West Mississippi, the following-named officers and enlisted men, prisoners of war released on parole, are hereby declared exchanged, their equivalent having been delivered to the Confederate agent of exchange, Trans-Mississippi Department, April 9, 1865, at Red River Landing, La.*

By command of Major-General Hurlbut:

J. C. STONE,

Captain and Assistant Adjutant-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT OF EXCHANGE,
New Orleans, La., April 16, 1865.

Lieut. Col. C. T. CHRISTENSEN.

Asst. Adjt. Gen., Military Division of West Mississippi:

SIR: I have the honor to inform you that on the 9th instant I delivered to Major Szymanski, agent of exchange, all prisoners of war in my charge belonging to the Trans-Mississippi Department, amounting to the equivalent of 160 men. There still remains an indebtedness of over 300 due the Confederacy. Colonel Dwight some time in March last informed General Hitchcock of this fact, and asked that Generals Marmaduke and Cabell and their commands be sent here for exchange; this would not only cancel an indebtedness, but would enable me to exchange for all our officers and men now prisoners in Texas, to whose cases I respectfully call your attention. They are suffering from exposure, hunger, and want of facilities to keep themselves properly cleaned, or their quarters properly policed. Had these men to whom I refer (captured in Arkansas) been promptly sent, I might have all exchanged by this time.

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*Names of 126 officers and enlisted men here omitted.

At my last interview with Major Szymanski I requested him to lay before his authorities a proposition from me to accept all our soldiers in Texas on parole, and render their equivalents as soon as they arrived from the North, which Major Szymanski has agreed to lay before General Smith and give me an early reply. I would therefore request that an application be made from the general commanding Military Division of West Mississippi for all men in Northern prisons belonging to the Trans-Mississippi Department be sent here for exchange.

Before closing, I would respectfully state that I have unofficial information that there are some 5,000 of our men paroled at or near Vicksburg. I have many that I could have exchanged, and I might add, that I could ere this have had an exchange effected for most, if not all. Having no official information I have no power to act. I am agent of exchange, and through me, I think, the negotiations should be made; otherwise my records are valueless.

I am, sir, very respectfully, your obedient servant,

WM. H. STERLING,

Captain, First U. S. Infty., Com. and Agent for Exchange.

OFFICE ASSISTANT AGENT OF EXCHANGE,
FLAG-OF-TRUCE BOAT GENERAL HODGE,
Hog Point, April 16, 1865.

Capt. W. H. STERLING,
First U. S. Infty., Com. and Agent of Exchange, U. S. A.,
New Orleans, La.:

CAPTAIN: I have the honor to acknowledge the reception of your communication of the 13th instant with accompanying documents. I am much gratified that Colonel Dwight has written to the U. S. authorities at Washington in relation to the C. S. prisoners, and recognize the high sense of honor and justice which have always marked our official intercourse.

I have the honor again to call your attention to my instructions from the general commanding the Trans-Mississippi Department, a copy of which I had the honor of presenting you at our last meeting. I regret that you were not able to specify in your communication when the prisoners will be delivered to me, as under my instructions I have to remain here until a definite answer is obtained. I have been informed that there are C. S. prisoners at Ship Island and New Orleans in confinement or on parole belonging to this department, and I will be much pleased to receive them.

Whenever you will notify me of your readiness to deliver C. S. prisoners specified in our cartel, or others in your custody, I shall promptly order an equivalent number to be brought to our place of rendezvous; but under existing circumstances I doubt the propriety of paroling any of the U. S. prisoners now under my control.

I will avail myself of this opportunity to say that on a simple notification from you of your readiness to deliver any given number, rank and file of C. S. prisoners, you will always find me ready at the appointed time with their equivalent.

I have the honor to be, captain, very respectfully, your obedient servant,

IG. SZYMANSKI,

Asst. Adjt. Gen. and Asst. Agent for Exchange, Trans-Miss. Dept.

[APRIL 17, 1865.—For Halleck to Thomas and Canby, authorizing them to give same terms to Confederate forces in the West and South as those given by Grant to Lee, see Series I, Vol. XLIX, Part II, pp. 376, 383.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 17, 1865.

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: The letter of Colonel Dwight, agent for exchange, Military Division of West Mississippi, in reference to forwarding prisoners of Marmaduke's and Cabell's commands for exchange, was received on the 27th ultimo, and I have the honor to inform you that orders have been given to commanders of prison camps in the West to forward to New Orleans all prisoners of war still in confinement who belong to the commands above referred to. Many of them have doubtless already been delivered for exchange at Varina, Va.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 18, 1865.

Hon. SAMUEL GALLOWAY,
Special Commissioner, Camp Chase, Columbus, Ohio:

SIR: I have the honor to acknowledge the receipt of your letter of the 4th instant, replying to mine of the 29th ultimo, in reference to the application of Lewis H. Baker, private, Company C, Gilmor's Battalion Virginia [Maryland] Cavalry, a prisoner of war, for discharge. The note upon which the action of the War Department was founded is in the following terms, viz:

FEBRUARY 9, 1865.

I have examined your brother's case and recommended his release to the Secretary of War. To facilitate it you should employ some influential friend of the Government in Washington City to represent the case, as the business is so thorough and governed by strict rules that it takes personal application to succeed. My report is No. 1898, which may be seen at L. C. Turner's office, judge-advocate, War Department.

Respectfully.

SAM. GALLOWAY,
Special Commissioner.

This note was referred to this office by Major Turner, judge-advocate, with the following indorsement:

MARCH 21, 1865.

The report of Mr. Galloway, special commissioner, was referred to General Hoffman, Commissary-General of Prisoners, February 15, 1865, for favorable consideration.

L. C. TURNER,
Judge-Advocate.

The note came to this office without an address, but from your report (No. 1898) it appears to relate to the case of Lewis H. Baker, and with that report was laid before the War Department, whose action thereon

was communicated to you in my letter of the 29th ultimo. The note has the appearance of being genuine, but it may not be so, and I will be happy to lay it before you on your expected visit to this city, that you may decide the question. Your letter of the 4th instant seems to be addressed to me personally and not as a communication for the War Department, and I will therefore hold it until your arrival or till I hear from you.

I am, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HDQRS. SUPT. AND INSPECTOR OF MILITARY PRISONS,
April 18, 1865.

Lieut. Col. C. W. DAVIS,
Assistant Provost-Marshal-General:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 17, 1865:

Conduct—good. Cleanliness—good. Clothing—sufficient. Bedding—clean and sufficient. State of quarters—very clean. State of mess-houses—clean. State of kitchen—clean. Food, quality of—good. Food, quantity of—according to regulations. Water—plenty. Sinks—clean. Police of grounds—clean. Drainage—good. Police of hospital—very good. Attendance of sick—very good. Hospital diet—regulated by the medical department. General health of prisoners—improving. Vigilance of guard—good.

Remarks and suggestions.—The prisoners of Myrtle Street Prison have all been sent to the Gratiot Street Prison. The buildings, yards, kitchens, and hospitals have been so arranged that both classes of prisoners—prisoners of war and local prisoners—are kept by themselves, and no intercourse is possible in any circumstance. The average amount of prisoners of war is 19, and of local prisoners 161. In my different inspections I found the prisons always in the best order and clean, and must express myself in a very satisfactory way of the management of Capt. R. C. Allen, the commander of the Gratiot Street Military Prison.

Very respectfully, your obedient servant,

L. F. FIX,

Lieut. Col., Superintendent and Inspector of Military Prisons.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT FOR EXCHANGE,
New Orleans, La., April 19, 1865.

Maj. IG. SZYMANSKI,
Asst. Adjt. Gen. and Assistant Agent of Exchange,
Trans-Mississippi Department, U. S. Army:

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant, and in reply have only to state that at present I have no prisoners in my possession belonging to Trans Mississippi Department, either at Ship Island or here, but I have written to General Hitchcock and to the Commissary-General of Prisoners, and have requested that all Confederate prisoners confined in Northern

stations and belonging to the Trans-Mississippi Department be sent here for exchange without delay. I have also informed Major-General Canby of the facts and secured his co-operation. Allow me [to] assure you that no effort on my part shall be spared to consummate the exchange. I only await the return of General Hurlbut from Mobile, which in all probability will be to-morrow, to specify the time when a flag of truce will leave here for Red River, which I have every reason to believe will be the latter part of this week or the fore part of next.

I much regret not to have it in my power at present to deliver any Confederate prisoners to you, but I have done all that was possible for me to do to effect an early exchange for all U. S. prisoners in your department.

Hoping to be able soon to deliver those promised,

I am, sir, very respectfully, your obedient servant,

W. H. STERLING,

Captain, First U. S. Infty., Com. and Agent of Exchange,

Military Division of West Mississippi.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,

New Orleans, La., April 19, 1865.

Brig. Gen. JOHN NEWTON,

Comdg. District of Key West and Tortugas, Key West, Fla.:

GENERAL: I am directed by the major-general commanding to inclose telegram to you from Lieut. Gen. U. S. Grant* with regard to exchange, and to inform you that no deviation can be made therefrom. The general authorizes you to receive any of our own prisoners that may be turned over to you by the rebels and receipt for them.

Very respectfully, your obedient servant,

C. H. DYER,

Captain and Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,

Vicksburg, Miss., April 19, 1865.

Col. N. G. WATTS and

Lieut. Col. H. A. M. HENDERSON,

Agents of Exchange, C. S. Army:

SIRS: I have the honor to acknowledge receipt of your communication of yesterday and to express my high appreciation of the honorable sentiments it conveys.†

There shall be, so far as devolves on me, no lessening of the courtesy and friendliness which have made our recent intercourse under flag of truce so entirely satisfactory. I am confident that the first natural outburst of passion over, all of my command will renew their hitherto kindly and respectful treatment of the agents of the Confederate Government whose duty leads them here.

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*See Halleck to Canby, February 16, Series I, Vol. XLVIII, Part I, p. 865.

†Letter not found, but the following "brief" is taken from Dana's letters-received book: "Express their sincere regrets occasioned by receipt of the painful intelligence of the assassination of President Lincoln and Secretary Seward. States that no officer of the United States Government regrets more than they this cowardly assault upon these high officers of state, and the introduction of this tragical chapter into American history. Requests that the execution of the cartel shall proceed in such a manner that there shall be no impeachment of administration on either side."

The unforeseen circumstances which have arisen may be expected to make some brief delay in the progress of the exchange business, but not to give rise to any imputation of breach of faith.

I am, very respectfully, your obedient servant,

N. J. T. DANA,
Major-General.

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., April 19, 1865.

Lieut. Gen. RICHARD TAYLOR, C. S. Army,
Comdg. Dept. of Ala., Miss., and East La., Meridian, Miss.:

SIR: I have the honor to acknowledge the receipt of your communication of the 14th instant in relation to the exchange of prisoners captured in the operations near this city, and to state in reply that under the instructions of Lieutenant-General Grant I have considered that the question of exchange of all classes of prisoners was concluded and settled by his agreement with General Lee. Under that agreement I have delivered, and am delivering, all the Confederate prisoners of war that were within my immediate control, and have been notified by the general commissioner of exchange that the prisoners heretofore captured within the limits of my command and sent to the North would either be sent to me for delivery or would be delivered at some other point more convenient to the depot at which they were confined. There will be no delay in sending to Vicksburg the prisoners captured in this vicinity, except that occasioned by the preparation of the necessary rolls, and I presume that the first detachments have already left New Orleans on their way up the river. If the number that has been or may be delivered at Vicksburg should be in excess of the number now held by you, the balance will be turned over to your agent, requiring only that they should be paroled not to serve until duly exchanged, or until released from the obligations of their parole by the authority of the Government of the United States.*

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,
Major-General, Commanding.

[APRIL 19–MAY 27, 1865.—For correspondence, &c., relating to negotiations for the surrender of the Confederate forces in the Trans-Mississippi Department, see Series I, Vol. XLVIII, Parts I and II.]

GREENSBOROUGH, *April 19, 1865.*

Brig. Gen. B. T. JOHNSON, *Commanding:*

If the arsenal is a Confederate one you must hold the property and report to me by telegraph what that property is.

J. E. JOHNSTON.

[APRIL 19, 1865.]

General JOSEPH E. JOHNSTON, *Greensborough:*

The arsenal is Confederate property. Captain Brenizer, the officer in charge, was distributing iron and other property to his workmen in

*For reply see Taylor to Canby, April 22, 1865, Series I, Vol. XLIX, Part II, p. 440.

lieu of pay. The owner, who had rented the property to the Government, had attached the personal effects for his rent. I arrested him and took the property from the sheriff, but learning that the ordnance people were thus helping themselves I declined to interfere with the civil authorities. Shall I take possession of everything, taking it from the sheriff?

BRADLEY T. JOHNSON,
Brigadier-General.

GREENSBOROUGH, *April 19, 1865.*

General BRADLEY T. JOHNSON:

Is any one at Salisbury in charge of Federal prisoners? I have 200 at my headquarters that I wish to dispose of. Please answer at once.

E. J. HARVIE.

WAR DEPARTMENT, *Washington City, April 20, 1865.*

President JOHNSON:

Mr. PRESIDENT: The Hon. Mr. Stewart, Senator from Nevada, and son-in-law of Governor Foote, desires to have him released from imprisonment on his giving his parole not to go south of the Ohio River. Have you any objection to his release on these terms? If not, please write the word "approved" with your signature under this note and return it by the bearer.

With respect, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS MILITARY DISTRICT OF FLORIDA,
Tallahassee, Fla., April 20, 1865.

Brig. Gen. JOHN NEWTON,
Comdg. District of Key West and Tortugas, Key West, Fla.:

GENERAL: An answer to your letter of 28th ultimo has been delayed by my absence from this place when it was received. In reply to your questions regarding the treatment of prisoners of war in my hands I have to say that I have invariably treated all prisoners of war in accordance with the usages of civilized warfare. When Lieutenant Wilson of the U. S. service and his party were captured two or three private soldiers of our service applied to him some harsh and abusive language and were promptly arrested for it by the officer to whom the lieutenant had surrendered. I have inquired of the officer immediately in command of our cavalry on the occasion you refer to as to the murdering of certain wounded prisoners, and he assures me that there is no truth whatever in the report that has reached you, and I have no hesitation in confirming his statement.

In reply to your inquiry whether Strickland and another enlisted man of the Second Florida Cavalry (United States) have been put to death by your (my) authority after capture, and for what cause, I have to say that a man named Strickland and another named Brannan, who said they belonged to the Second Florida Cavalry, in the service of the United States, were captured in an attempt to burn a railroad bridge. They were both recognized as deserters from the C. S. service. It was proved before a general court-martial, and they acknowledged that

they were so. If they are the men you refer to I presume you were not aware that they were deserters from our service or you would not have made the inquiry. I certainly do not feel called on to account to you for the disposition made of deserters from our service.

I shall be glad to hear from you when you have received instructions from Major-General Canby in regard to the exchange of prisoners.

I am, respectfully, &c.,

SAM. JONES,
Major-General.

LITTLE ROCK, ARK., *April 20, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

There are nearly 300 prisoners of war confined here, about two-thirds of whom have heretofore applied to take the amnesty oath, and of course would not be sent South when exchanged. The remainder have now applied to be released on parole, believing the cause of the rebellion hopeless. What shall be done with them? A few desperate characters should be retained in prison.

J. J. REYNOLDS,
Major-General, Commanding.

CHARLOTTE, *April 20, 1865.*

General B. T. JOHNSON:

I am informed that a Mr. Shepperson has sued out an attachment against the ordnance property at your post on some claim against the bureau for rent. The proceeding is so extraordinary that I can hardly realize it. If it be true, you will not permit the property of the Government to be seized or its control by proper officers to be interfered with.

JEFF'N DAVIS.

GREENSBOROUGH, *April 20, 1865.*

Brigadier-General JOHNSON:

You are distinctly ordered to hold the Confederate arsenal and property. Hold them against ordnance and others.

J. E. JOHNSTON.

WAR DEPARTMENT, *Washington City, April 21, 1865.*

Maj. Gen. GEORGE H. THOMAS, *Nashville, Tenn.:*

You are directed to arrest Mrs. General Ewell, who is reported to be in Nashville, and cause her to be removed immediately to Saint Louis, and enjoined to remain there until further orders. You will please investigate and report to this Department the circumstances under which Mr. Overton, of Nashville, took or pretended to take the oath of amnesty prescribed by President Lincoln's proclamation. Have all the facts carefully detailed, especially in respect to the time when said oath was taken, by whom it was administered, and all the circumstances connected with it, and make speedy report to this Department.

EDWIN M. STANTON,
Secretary of War.

37 BLEECKER STREET, *New York City, April 21, 1865.*

COMMISSARY-GENERAL OF PRISONERS, *Washington, D. C.:*

GENERAL: A telegraph addressed to General Paine, whom I have relieved, asking him to notify General Beall of the fact that 6,000 rebel prisoners had arrived at Newport News needing supplies, was duly received. In reply I have the honor to state that I am informed by General Beall that [owing to] the late fall in the price of cotton, &c., his funds are too much reduced to render material assistance. He refers to a request made by Mr. Ould that the number of bales forwarded be permitted to be increased to 1,500, which if complied with would enable him to increase the supplies.

Very respectfully, your obedient servant,

R. O. TYLER,
Brigadier-General of Volunteers.

GENERAL ORDERS, No. 30. } HDQRS. NORTHERN DEPARTMENT, *Cincinnati, Ohio, April 21, 1865.*

I. Before a military commission, which convened at Cincinnati, Ohio, January 11, 1865, pursuant to Special Orders, No. 278, series of 1864, and Nos. 4 and 8, current series, from these headquarters, and of which Col. Charles D. Murray, Eighty-ninth Regiment Indiana Volunteer Infantry, is president, were arraigned and tried—

Charles Walsh, Buckner S. Morris, Vincent Marmaduke, and R. T. Semmes, citizens.

CHARGE I: Conspiring, in violation of the laws of war, to release the rebel prisoners of war confined by authority of the United States at Camp Douglas, near Chicago, Ill.

Specification.—In this, that they, the said Charles Walsh, Buckner S. Morris, Vincent Marmaduke, R. T. Semmes, Charles Travis Daniel, George E. Cantril, G. St. Leger Grenfel, and Benjamin M. Anderson, did unlawfully and secretly conspire and agree among themselves, and with one Captain Hines, so called, alias Doctor Hunter, of the Confederate Army, and others, in violation of the laws of war, to release the rebel prisoners of war then confined by authority of the United States at Camp Douglas, near Chicago, Ill., numbering between 8,000 and 9,000 persons, by suddenly attacking said camp on or about the evening of the 8th of November, anno Domini 1864, with a large number of armed men, overpowering the guard and forces then and there stationed and on duty, seizing the cannon and arms in the possession of said guard and forces for the purpose of guarding and defending said camp, forcibly opening the gates of said prison camp and removing all obstructions to the successful escape of said prisoners confined within its limits. This, at or near Chicago, in the State of Illinois, within the military lines and the theater of military operations of the Army of the United States, at a period of war and armed rebellion against the authority of the United States, and on or about the 1st day of November, anno Domini 1864.

CHARGE II: Conspiring, in violation of the laws of war, to lay waste and destroy the city of Chicago, Ill.

Specification.—In this, that they, the said Charles Walsh, Buckner S. Morris, Vincent Marmaduke, R. T. Semmes, Charles Travis Daniel, George E. Cantril, G. St. Leger Grenfel, and Benjamin M. Anderson, did unlawfully and secretly conspire and agree among themselves, and with one Captain Hines, so called, alias Doctor Hunter, of the Confederate Army, and others, in violation of the laws of war, to lay waste and destroy, on or about the evening of the 8th of November, anno Domini 1864, the city of Chicago, Ill., by capturing the arsenal in said city, cutting the telegraph wires, burning the railroad depots, taking forcible possession of the banks and public buildings, and leaving the city to be sacked, pillaged, and burned by the rebel prisoners of war confined at Camp Douglas, near Chicago, Ill., which prisoners were to be forcibly released by them on or about the date above mentioned. This, at or near Chicago, in the State of Illinois, within the military lines and the theater of military operations of the Army of the United States, at a period of war and armed rebellion against the authority of the United States, and on or about the 1st day of November, anno Domini 1864.

To which each of the accused pleaded not guilty.

FINDING OF THE COMMISSION.

The commission, after mature deliberation on the evidence adduced, find the accused, Buckner S. Morris, as follows:
Of the specification, first charge, not guilty.
Of the first charge, not guilty.
Of the specification, second charge, not guilty.
Of the second charge, not guilty.
And the commission do, therefore, acquit him, the said Buckner S. Morris.

FINDING AND SENTENCE.

The commission, after mature deliberation on the evidence adduced, find the accused, Charles Walsh, as follows:
Of the specification, first charge, guilty.
Of the first charge, guilty.
Of the specification, second charge, guilty.
Of the second charge, guilty.
And the commission do, therefore, sentence him, Charles Walsh, to be imprisoned for the term of five years, at such place as the commanding general may direct, said imprisonment to date from the 7th day of November, 1864.

FINDING AND SENTENCE.

The commission, after mature deliberation on the evidence adduced, find the accused, R. T. Semmes, as follows:
Of the specification, first charge, guilty.
Of the first charge, guilty.
Of the specification, second charge, guilty.
Of the second charge, guilty.
And the commission do, therefore, sentence him, the said R. T. Semmes, to be imprisoned at hard labor at such place as the commanding general may direct for the term of three years.

FINDING OF THE COMMISSION.

The commission, after mature deliberation on the evidence adduced, find the accused, Vincent Marmaduke, as follows:
Of the specification, first charge, not guilty.
Of the first charge, not guilty.
Of the specification, second charge, not guilty.
Of the second charge, not guilty.
And the commission do, therefore, acquit him, the said Vincent Marmaduke.

II. The proceedings, finding, and sentences in the foregoing cases of Charles Walsh, Buckner S. Morris, Vincent Marmaduke, and Richard T. Semmes, are approved and confirmed. The penitentiary at Columbus, Ohio, is designated as the place of confinement of the prisoners Charles Walsh and Richard T. Semmes. The post commandant of Cincinnati, Ohio, is charged with their immediate removal and delivery to the officer in charge of the said penitentiary. The prisoner, Buckner S. Morris, will be released upon taking the oath of allegiance. The prisoner, Vincent Marmaduke, having been acquitted, has been released upon taking the oath of allegiance.

III. The military commission, of which Col. C. D. Murray, Eighty-ninth Regiment Indiana Volunteer Infantry, is president, is hereby dissolved.*

By command of Major-General Hooker:

O. H. HART,
Lieutenant-Colonel and Assistant Adjutant-General.

* For proceedings of the military commission before which these cases were tried, see Executive Document No. 50, House of Representatives, Thirty-ninth Congress, second session.

WAR DEPARTMENT, *Washington City, April 22, 1865.*

Maj. Gen. JOHN A. DIX,
Commanding Department of the East, New York City:

You are authorized to release Governor Henry S. Foote from imprisonment upon his giving his parole that he will not go south of New York City, and that he will report to you every forty-eight hours until further order.

EDWIN M. STANTON,
Secretary of War.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 22, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange, Washington, D. C.:

GENERAL: Upon an examination of the records of this office it is found that since the 25th of November, 1864, there have been delivered to the rebel agent for exchange, when reduced to privates, 35,578 prisoners of war, which, added to the 9,000 which I am informed by the chief of staff of the lieutenant-general commanding the rebel authorities admit were due us on exchanges declared by them in 1863, makes 44,578 privates. In the same period we have received at different places equal to 43,228 privates, which leaves a balance in our favor of 1,350 privates. The above figures are only an approximation, as no exact reports of prisoners received or delivered have been made to this office. Of the paroled prisoners recently received at Vicksburg only a telegraphic notice has been received, but the calculation cannot be very far from accurate, and all Federal prisoners now on parole may be declared exchanged, a like declaration being made of the exchange of all rebel prisoners delivered by General Mulford at Varina.

By a communication referred to this office from Major-General Gillmore it appears that about 5,000 Federal prisoners are to be, or have been, delivered on parole at Darien, Ga. For these equivalents may be delivered from the Western camps through our lines at Vicksburg, or they may be sent from Fort Delaware to Savannah to be delivered at Darien, and when these deliveries are completed a declaration of exchange may be made.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[Indorsement.]

APRIL 24, 1865.

Upon the report within I recommend that an order of declaration of exchange may be made extending to all prisoners of war received by Federal officers to include the 22d of April, 1865, except those who may have been delivered at Darien, Ga.

At another time the account for the Darien deliveries may be settled and duly declared. Meantime it is important to release the numerous prisoners waiting at parole camps.

If the order shall be issued General Hoffman will communicate it to the rebel authorities as usual.

E. A. HITCHCOCK,
Major-General of Volunteers, Commissioner for Exchange.

[APRIL 22, 1865.—For Jones to Vogdes, proposing the delivery of prisoners of war within Union lines, and resulting correspondence, see Series I, Vol. XLVII, Part III, pp. 284, 290, 292, 343, 344, 370, 378.]

HEADQUARTERS U. S. MILITARY PRISON,
Newport News, Va., April 23, 1865.

Col. J. HAM DAVIDSON, *Commanding Post, Newport News, Va.:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 22, 1865:

Conduct—good. Cleanliness—good. Clothing—good. Bedding—sufficient. State of quarters—good. State of mess-houses—none. State of kitchen—good. Food, quality of—good. Food, quantity of—issued per General Orders, No. 1, Office of Commissary-General of Prisoners. Water—good. Sinks—temporary ones in use, permanent ones in preparation. Police of grounds—good. Drainage—good. Police of hospital—hospital not finished. Attendance of sick—average 140 each day. Hospital diet—none issued as such. General health of prisoners—good. Vigilance of guard—good.

Remarks and suggestions.—The ground inclosed comprises twenty-five acres, inclosed by a fence twelve feet high, inside of which is a railing twenty feet from the fence, which prisoners are not allowed to pass. Outside of the fence a gallery has been erected for the sentinels, from which they can observe who approaches the railing and also any unusual disturbance among the prisoners. The hospital is now building and will be finished in a few days. Wells have been sunk, which will give a full supply of water. It will not be necessary to erect mess-houses. A detail is made each morning from the prisoners for the purpose of policing the grounds. Personal cleanliness is very good, with but few exceptions. The present sinks are but temporary. In two or three days sinks of a permanent character will be in use.

Very respectfully, your obedient servant,

JOHN HAROLD,
Second Lieut., 122d U. S. Colored Troops, and Insp. Officer.

[Indorsement.]

The condition of the prison camp is improving daily and within the short time during which they have been at this post great improvements have been made. A few days more will place the prison in a good condition. As strict discipline has been enforced as was possible in the unorganized condition in which the prisoners were when received at this post. Prison rules have been published to all detachments upon their arrival and the written and printed instructions complied with as far as possible.

Respectfully referred to the Commissary-General of Prisoners.

J. HAM DAVIDSON,
Colonel 122d U. S. Colored Troops, Commanding Post.

BALTIMORE, *April 23, 1865.*

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant General, Washington City:

I have about 100 rebel officers and enlisted men (paroled prisoners of Lee's army) under guard here. They have no money or means of getting away. Shall I furnish them transportation to Fort Monroe?

LEW. WALLACE,
Major-General, Commanding Department.

U. S. MILITARY PRISON, *Indianapolis, Ind., April 23, 1865.*

Bvt. Brig. Gen. A. A. STEVENS, *Commanding Camp Morton:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending April 22, 1865:

Conduct—very good. Cleanliness—good. Clothing—ordinary. Bedding—good. State of quarters—good. State of kitchen—good. Food, quality of—first class. Food, quantity of—sufficient. Water—good and sufficient. Sinks—sufficient and kept thoroughly cleansed. Police of grounds—thorough. Drainage—complete. Police of hospital—thorough. Attendance of sick—very good. Hospital diet—first class. General health of prisoners—very good. Vigilance of guard—very strict.

Very respectfully, your obedient servant,

J. W. DAVIDSON,

First Lieut. Co. D, Fifth Regt. Vet. Reserve Corps, Insp. Officer.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., April 23, 1865.

Capt. C. H. DYER,
Asst. Adjt. Gen., Military Division of West Mississippi:

SIR: I have the honor to inclose to you a list* of blockade-runners confined at Forts Lafayette and Warren, handed me by Major Szymanski, assistant adjutant-general and assistant agent of exchange, Trans-Mississippi Department, who desires to exchange for them steam-boat captains or pilots now held as prisoners at Camp Ford, Tyler, Tex. I therefore request that these men specified in the foregoing list may be sent for in order to effect the exchange. I would add that there are many steam-boat men, such as captains, pilots, engineers, &c., held as prisoners at Camp Ford for whom we have no other equivalents than blockade-runners.

I am, sir, very respectfully, your obedient servant,

WM. H. STERLING,

Captain, First U. S. Infantry, Agent of Exchange.

[APRIL 24, 1865.—For General Orders, No. 73, War Department, Adjutant-General's Office, publishing the opinion of the Attorney-General of April 22, 1865, upon questions growing out of the capitulation of the Army of Northern Virginia, see Series I, Vol. XLVI, Part III, p. 918.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
April 24, 1865.

Mrs. R. S. EWELL, *Nashville, Tenn.:*

MADAM: Acknowledging the receipt of your communication of the 23d instant, I take this occasion to submit for your information the annexed copies of telegrams sent to and received from Washington, having special reference to your presence here and directing your early

* Omitted.

return to Saint Louis. The following dispatch was received April 21, 1865:

WASHINGTON, *April 21, 1865—3.45 p. m.*

Maj. Gen. GEORGE H. THOMAS:

You are directed to arrest Mrs. General Ewell, who is reported to be in Nashville, and cause her to be removed immediately to Saint Louis, and enjoined to remain there until further orders.

E. M. STANTON,
Secretary of War.

Immediately upon the receipt of your letter of the 23d instant I forwarded the following dispatch to the Honorable Secretary of War, receiving in reply the telegram immediately succeeding:

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., April 23, 1865—5 p. m.

Hon. E. M. STANTON, *Washington, D. C.:*

Mrs. R. S. Ewell has just reported to me in writing that being permitted by the President to take the amnesty oath, on the 23d of March she appeared before Lieut. George H. Richardson, assistant provost-marshal-general, Department of the Missouri, at Saint Louis, and subscribed to the oath; and believing she had under that amnesty the right to come to this place quietly and attend to the management of her private affairs, she left Saint Louis on the 31st of March, and came for that purpose. Having nearly completed the arrangement of her business, she had intended to return to Saint Louis early next week, quietly and inoffensively. Since taking the oath of amnesty she claims to have conducted herself as becomes a loyal citizen of the United States, and also as a woman under personal obligations to Mr. Lincoln, and therefore that she had the right to return to Saint Louis without military surveillance, binding herself to report as soon as practicable after reaching Saint Louis to the commanding officer at that place. I respectfully recommend that she be permitted to remain in Nashville until next Saturday, or the following Tuesday, and then be permitted to return to Saint Louis free from military surveillance en route.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

Reply.

WASHINGTON, *April 23, 1865.*

Major-General THOMAS:

You will please execute the order heretofore given in reference to Mrs. General Ewell, without regard to her representations and without unnecessary delay. Please acknowledge this telegram and report your action.

E. M. STANTON,
Secretary of War.

You will readily perceive from the foregoing copies of telegrams that it is made incumbent upon me to direct your return to Saint Louis at an early day, and in order that you may be subjected to as little inconvenience and annoyance as possible while en route, I have directed one of the officers of my staff to accompany you to Saint Louis.

I am, madam, very respectfully, your obedient servant,

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 25, 1865.

Maj. Gen. E. R. S. CANBY,

Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: Referring to my letter of the 17th instant, relative to prisoners captured in the Trans-Mississippi Department who have been forwarded for exchange, I have the honor to inform you that those

captured at Helena, Ark., July 4, 1863, and by the forces of Major-General Steele in the Department of Arkansas prior to July 28, 1864, have been sent forward, amounting to some 200 in all. Orders will at once be given to send forward enough men to make up the balance of deliveries now against us, which is stated by Col. C. C. Dwight in letter of the 14th ultimo to be the equivalent of 480 privates; 1,600 additional will also be sent to be exchanged for other Union prisoners stated to be still in rebel hands, in letter of Capt. W. H. Sterling, commissioner and agent for exchange, dated April 14, 1865, it being the intention not to leave our Federal prisoners west of the Mississippi in the hands of the rebels. As far as possible the men belonging to the commands of Generals Marmaduke and Cabell will be sent, but some of these, together with other prisoners captured in Arkansas, have been released or delivered to the rebel authorities at Varina, Va., while some refuse to be sent South for exchange and are applicants to take the oath of allegiance.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[APRIL 25, 1865.—For Cobb to Wilson, Wilson to Wayne, and Wilson's Special Field Orders, No. 25, relating to paroles of Confederate prisoners, &c., see Series I, Vol. XLIX, Part II, pp. 461, 462.]

HEADQUARTERS DEPOT PRISONERS OF WAR,
Newport News, Va., April 25, 1865.

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to transmit the proceedings of a board ordered to investigate the circumstances connected with the shooting of prisoners of war at this camp.

I am, general, very respectfully, your obedient servant,

J. HAM DAVIDSON,
Colonel, Commanding Depot Prisoners of War.

[Inclosure.]

Proceedings of a board which convened at the prison camp, Newport News, Va., by virtue of the following order:

SPECIAL ORDERS, No. 12.

HEADQUARTERS POST,
Newport News, Va., April 21, 1865.

* * * * * * *

II. A board, to consist of the following-named officers, viz: Maj. A. A. Monroe, One hundred and twenty-second Regiment U. S. Colored Troops; Capt. W. H. Collins, First U. S. Colored Cavalry; First Lieut. John Anderson, Battery B, Second U. S. Colored Light Artillery, will meet at the prison office at 3 p. m. of this day, or as soon thereafter as practicable, to investigate and report the circumstances attending the shooting of prisoner of war Thomas M. Tyree, private, Company D, Nineteenth Battalion Virginia Heavy Artillery, on the night of April 20, 1865, by the prison guard. The junior member of the board will record the proceedings.

By order of J. Ham Davidson, colonel, commanding post:

CHARLES R. STUART,
First Lieutenant and Post Adjutant.

The Board met pursuant to the above order, all the officers present, and proceeded to business by an examination of the following witnesses, who, having been duly sworn according to law, do testify as follows:

Testimony of Capt. A. D. Clark, of Company D, One hundred and twenty-second Regiment U. S. Colored Troops:

I was officer of the day and was passing through the prison camp in company with the officer of the guard on the night of the 20th of April, 1865; heard the sentinel on post No. 47 hail in the following manner: "Halt! You had better halt! God damn you, halt!" In about ten seconds heard three shots fired in rapid succession. I then took a relief around to the sentinels on posts Nos. 46, 47, and 48; was informed by the sentinels that they had shot at a prisoner and that he had gone in the direction of the camp. I then returned with the relief and went to where I heard the wounded man was, sent for the surgeon, and had the wounded prisoner removed to the hospital. A short time previous to the shooting of the prisoner I heard a shot fired I went to learn the cause; found it to have been fired by the sentinel on post 47; found the sentinel reloading his piece and two prisoners standing within eight or ten feet of him. I asked the prisoners what they were doing there; received no reply. I then ordered them to go away from there. They did not obey until I drew my saber on them and compelled them to do so.

Testimony of Second Lieut. George B. Everett, Company A, Second U. S. Colored Cavalry:

I was officer of the guard on the night of the 20th of April, 1865. I gave the sentinels on post orders to hail and halt all persons approaching their posts, and if they did not halt after being hailed twice, to fire at them. I also gave the sentinels orders not to allow any persons to approach his post nearer than fifteen paces without being satisfied who they were. I was passing through the camp in company with the officer of the day on the night of the 20th of April, 1865, when I heard the sentinel on post No. 47 hail as follows: "Halt! You had better halt! God damn you, halt!" In a few seconds after I heard three shots fired in rapid succession. I went immediately to the guard-house and turned out a relief; left one-half of the relief at the guard-house and took the other half around with me to post 47. Was told by John Gains, the sentinel on the post, that a man approached his post and that he, the sentinel, hailed him three times, when, failing to halt, he fired at him. The sentinels on posts 46 and 48 also told me that they fired at the man. I then went to the prison camp and found that one of the prisoners had been wounded. The officer of the day sent for the surgeon and had the man sent to the hospital.

Testimony of Private John Gains, Company D, One hundred and twenty-second U. S. Colored Troops:

I was posted as a sentinel on post No. 47 of the prison camp on the night of the 20th of April, 1865. I received orders to halt all persons approaching my post. While on post I saw a prisoner running toward my post. There were ten or fifteen other prisoners close behind him. I ordered him to halt. He did not do so, but turned away from me. I then shot at him. I feel certain that the man I shot at was trying to escape.

Testimony of Private Jack Eubanks, Company D, One hundred and twenty-second Regiment U. S. Colored Troops:

Was on post in the prison camp on the night of the 20th of April, 1865. During the night several of the prisoners approached my post as if trying to escape. I halted them and ordered them back to camp. I saw a man run from post No. 47 and I saw three or four more men behind him. They also ran. I saw John Gains fire his gun. I also fired my gun; don't know whether I shot any person or not. I took aim at the crowd. I received orders from the officer of the guard to halt all persons approaching my post, and if they did not halt when ordered, to shoot at them.

Testimony of Private Lewis Burris, Company D, One Hundred and twenty-second Regiment U. S. Colored Troops:

I was on post No. 48 in the prison camp on the night of the 20th of April, 1865. I received orders from the officer of the guard to hail all persons approaching my post and to halt them within ten paces, and if they did not halt, to shoot them. During the time I was on post the prisoners kept coming close up to post No. 47, where John Gains was posted. I told them to keep away; that I did not want to hurt them. I saw a man running toward John Gains' post and there were at least five or six behind him running also; heard John Gains order him to halt several times. He did not halt, but kept approaching his post. I then saw Gains shoot at him. I

then shot at him, but before shooting ordered him to halt; he did not do so. I did not hear him say anything before he was shot. I think that the man that was shot was trying to escape.

Testimony of Prisoner of War Thomas M. Tyree, private, Company D, Nineteenth Battalion Virginia Heavy Artillery:

On the night of the 20th of April, 1865, I was going to the sink, when the sentinel hailed me several times and ordered me to halt. I did not know at first that he was hailing me. I halted when ordered. The sentinel told me to come up to him. I did so, and when within fifteen paces of him he ordered me to halt again. I halted. He then asked me what I wanted. I told him that I had the diarrhea and was going to do a job. The sentinel said it was a damned lie; that I did not want to shit. He then shot me. I was also shot by the sentinel on each side of me.

Respectfully submitted.

A. A. MONROE,
Major 122d U. S. Colored Troops, President of the Board.
W. H. COLLINS,
Captain, First U. S. Colored Cavalry.
JOHN ANDERSON,
First Lieut., Batty. B, Second U. S. Colored Light Arty., Recorder.

The board next proceeded to investigate the circumstances attending the shooting of prisoner of war William Carr Raines, by virtue of the following order:

SPECIAL ORDERS, No. 14.

HEADQUARTERS POST,
Newport News, Va., April 23, 1865.

I. The board of officers convened at the prison office this post, by Special Orders, No. 12, paragraph II, headquarters post, Newport News, Va., April 21, 1865, will also, as soon as practicable, investigate and report the circumstances attending the shooting of prisoner of war William Carr Raines, private, Company I, Fifty-fourth North Carolina, on the 22d day of April, 1865, by the prison guard.

* * * * * * *

By order of J. Ham. Davidson, colonel, commanding post:
CHARLES R. STUART,
First Lieutenant and Post Adjutant.

Prisoner of war J. G. Brown, Company A, Eighteenth Georgia, having been duly sworn according to law, states as follows:

On the 22d of April, 1865, I was looking at one of the prison guard. He appeared to be cleaning the lock of his gun; heard the gun go off. I believe the gun went off accidentally.

Prisoner of war T. E. Kerner, private, Fifty-fourth North Carolina, having been duly sworn according to law, states that he was in the tent with prisoner of war William Carr Raines when he was shot. The ball came through the tent and hit him in the arm. The person that fired the gun could not have seen him. I am satisfied that he was shot accidentally.

Respectfully submitted.

A. A. MONROE,
Major 122d U. S. Colored Troops, President of the Board.
W. H. COLLINS,
Captain, First U. S. Colored Cavalry.
JOHN ANDERSON,
First Lieut., Batty. B, Second U. S. Colored Light Arty., Recorder.

GENERAL ORDERS, No. 87.

HDQRS. MIDDLE DEPARTMENT,
EIGHTH ARMY CORPS,
Baltimore, Md., April 25, 1865.

The following extract from General Orders, No. 83, current series, from these headquarters, viz, "Prisoners of war (rebels) paroled to return

to their homes to await exchange will not be permitted to remain in this department unless their former residence is within its limits," is hereby amended to conform to the provisions of that portion of the opinion of the Hon. James Speed, Attorney-General of the United States, as promulgated in paragraph I, General Orders, No. 73, War Department, Adjutant-General's Office, April 24, 1865, which is as follows:

That the rebel officers who surrendered to General Grant have no homes within the loyal States and have no right to come to places which were their homes prior to their going into the rebellion.

Commanding officers of districts and posts and all provost-marshals in this department are hereby directed to carefully and vigorously execute the general orders referred to in this order.

All rebel officers, soldiers, and citizens discovered in this department in violation of any of the provisions of said general orders must be immediately arrested and held in confinement and a report in each case made to these headquarters, when they will be disposed of as may be directed hereafter by the General Government at Washington.

By command of Major-General Wallace:

SAMUEL B. LAWRENCE,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 25, 1865.

Col. T. INGRAHAM,
Pro. Mar. Gen., Defenses North of the Potomac, Washington, D. C.:

COLONEL: I am directed by the Commissary-General of Prisoners to inform you that Maj. J. B. Castleman and Lieut. William E. Munford, prisoners of war, have been ordered to be sent from Point Lookout to the Old Capitol Prison, in this city, where they will be retained to be tried as spies.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

(Copy to Bvt. Col. H. L. Burnett, judge-advocate, Washington, D. C.)

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., April 25, 1865.

Lieut. Gen. E. K. SMITH,
Commanding Trans-Mississippi Department, Shreveport:

GENERAL: I find upon my return to this city that there appears to be some misunderstanding upon the subject of exchanges under the arrangement made by Lieutenant-General Grant and General Lee. This arrangement I understand to embrace all prisoners of war held by either party, and also all prisoners held in close confinement against whom there are no serious charges, and all citizens whose homes are within the lines of either army. Under this arrangement I have been delivering all prisoners who are within my immediate control, and have been notified by the general commissioner of exchange, in reply to my application, that all Confederate prisoners of war from the Trans-Mississippi Department would either be sent to me for delivery or would be delivered at points more convenient to the depots at the North at which they are confined. I believe that under this arrangement the

prisoners captured in Missouri and Arkansas have already been delivered, and that they furnish more than an equivalent for those now held by you. Under the instructions of General Grant I am now delivering prisoners without waiting for equivalents, and if the number delivered should be in excess of the number held by the Confederate authorities, will only require that this excess should be paroled until duly exchanged. I transmit for your consideration copies of several papers on this subject, and suggest that you will give orders conforming to them, which I have given in relation to Confederate prisoners of war under my control.

Very respectfully, sir, your obedient servant,

ED. R. S. CANBY,
Major-General, Commanding.

SALISBURY, [*April*] *25, 1865.*

Brigadier-General RUGGLES:

There are forty-two Federal prisoners here, some of whom came in themselves with paroles, out of rations. Cannot they be sent to General Sherman for exchange?

BRADLEY T. JOHNSON,
Brigadier-General.

CHARLOTTE, N. C., *April 25, 1865.*

Brigadier-General RUGGLES,
Commissary-General of Prisoners, Charlotte, N. C.:

SIR: In obedience to your order I submit the following statement: The property belonging to prisoners was sent by railroad from Richmond to Danville, and was left there upon the evacuation of that place as I did not know where it was stored; that the money was to have been sent, along with the other valuables, in charge of my clerk, but he failed to report to me and I brought it in an ambulance as far as Ca Ira, Cumberland County, Va. At this place there was a probability of being intercepted by the enemy, and Maj. I. H. Carrington deemed it best to divide the risk and took charge of $670.50 in gold and $5,400 in greenbacks. I brought the remainder to Danville, and as that place was reported to be surrounded by the enemy, Major Carrington took charge of about $2,500 in U. S. currency and bank notes. I have left in my possession about $674 in bank notes, $362 in greenbacks, and $400 in U. S. postal currency, and $13,000 in C. S. old issue. I cannot say without my books that all the gold belonged to prisoners, as I had some funds in my charge belonging to the effects of deceased soldiers. I have learned since leaving Danville that the chest of valuables, containing also the books and papers relating to prisoners' funds, was in a house with Major Bentley's stores and that he turned everything over to the civil authorities.

Respectfully, your obedient servant,

C. MORFIT,
Captain and Assistant Quartermaster.

GENERAL ORDERS, No. 75. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, April 26, 1865.*

Exchange of prisoners of war.

I. All prisoners of war delivered on parole to Federal officers east of the Mississippi River, to include the 22d day of April, 1865, except

those who may have been delivered at Darien, Ga., are hereby declared duly exchanged.

II. Commanders of parole camps will forward exchanged officers and men to the armies to which they belong with as little delay as possible.

By order of the Secretary of War:

W. A. NICHOLS,
Assistant Adjutant-General.

[APRIL 26, 1865.—For terms of military convention between Sherman and Johnston, see Series I, Vol. XLVII, Part III, pp. 313, 482.]

[APRIL 26, 1865.—For tabular statement of officers and men of the Confederate Army paroled at Greensborough, N. C., and other points, in accordance with the military convention of April 26, 1865, see Series I, Vol. XLVII, Part I, p. 1066.]

HEADQUARTERS, *Nashville, April 26, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

Mrs. Ewell was sent to Saint Louis yesterday. The report in the case of John Overton's return to the State of Tennessee will be forwarded by mail to-morrow. Learning about the end of February that he had returned after taking the amnesty oath before the clerk of the U. S. district court of State of Kentucky, I telegraphed to Major-General Halleck asking instructions as to what consideration should be given to amnesty oath when the parties take them without my knowledge or consent, and received from him March 8 authority to repudiate any amnesty oath when in my judgment it had been improperly administered to any unworthy person. I accordingly informed Mr. Overton that his oath of amnesty was disapproved by me, first, because he had not taken it until after the 15th day of December last, showing thereby that, having lost confidence in the success of the rebel cause, he only took the oath to save his property; and, secondly, the fact of his taking the oath before the clerk of the U. S. district court of Kentucky showed that he feared that he would be unsuccessful if he applied to me. He deserves no consideration whatever. I have now in my possession a letter from him to Brigadier-General Rucker, C. S. Army, written in December last, which shows that he never abandoned the rebel cause until after the 15th of last December.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 26, 1865.

Bvt. Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

GENERAL: You will forward for exchange to Capt. W. H. Sterling, assistant agent for exchange, Military Division of West Mississippi, at New Orleans, via Cairo, 500 enlisted prisoners of war. This number (500 privates) is to be made up of a proper proportion of non-commissioned officers, counting one non-commissioned officer equal to

two privates, and selected, as far as possible, from the commands of the rebel Generals Marmaduke and Cabell, captured in Arkansas. None will be sent who do not wish to be exchanged. You will send with this party Sergt. D. W. Smith, Watson Battery, now confined at Camp Chase. Send them in charge of a suitable guard, with the usual instructions, and direct the commanding officer to report on his arrival at Cairo to the commanding officer, and ask for transportation by steam-boat to New Orleans. Report by telegram to this office when they leave.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

(Same, *mutatis mutandis*, to Col. A. J. Johnson, commanding Rock Island Barracks, Rock Island, Ill.; Bvt. Brig. Gen. B. J. Sweet, commanding Camp Douglas, Chicago, Ill.; Bvt. Brig. Gen. A. A. Stevens, commanding Camp Morton, Indianapolis, Ind.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 26, 1865.

Col. E. T. SPRAGUE, *Commanding, Cairo, Ill.:*

COLONEL: By authority of the War Department some 1,800 prisoners have been ordered from the following Western camps: Camps Douglas, Chase, Morton, and Rock Island Barracks, to be forwarded via Cairo to New Orleans, to be turned over to Capt. William H. Sterling, assistant agent for exchange. The prisoners will be forwarded in parties from 300 to 400, and I have the honor to request, by direction of the Commissary-General of Prisoners, that you will prepare the proper transportation in order that there may not be any unnecessary delay.

Very respectfully, your obedient servant,

G. BLAGDEN,

Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

[APRIL 26, 1865.—For Canby to Taylor, in relation to a personal conference, see Series I, Vol. XLIX, Part II, p. 481.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 26, 1865.

Maj. Gen. N. J. T. DANA,
Commanding Department of Mississippi, Vicksburg, Miss.:

GENERAL: Referring to my letter of the 14th instant, I have the honor to inform you that no equivalents will be forwarded for the Federal prisoners recently delivered at Vicksburg, as the account of deliveries of prisoners of war made up to the present time shows a small balance existing against the rebel authorities.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

BALTIMORE, MD., *April 26, 1865.*

Brigadier-General NICHOLS, *Assistant Adjutant-General:*

I am at a loss to know what to do with the paroled rebel officers, soldiers, and citizens who have been permitted to enter the department for the purpose of returning to their homes. By my directions they are held in arrest until instructions can be obtained. Most of them have no means of returning or going farther. If I retain them in custody they will have to be fed, and to get them away I must furnish them transportation, which I have no authority to do, nor do I know whether to send them back to the South or let them go North. Some of them desire to take the oath of allegiance under the amnesty proclamation and claim that by so doing they can regain their residence in this State. Is this admissible? The feeling here against returning rebels is so bitter that to avoid collisions and bloodshed I am compelled to act cautiously and arrest rather than let them run loose while waiting your instructions. I have the honor to invite your attention to my telegram of the 23d instant on the same subject. If this coming here can be stopped, it will be of great assistance to me and relieve me of great pressure.

LEW. WALLACE,
Major-General of Volunteers.

HEADQUARTERS CAMP OF EXCHANGE,
Big Black, April 26, 1865.

[General N. J. T. DANA:]

GENERAL: I am advised the pontoons are about to be taken up and the guards on the railroad withdrawn. The terms of the stipulation entered into between General Smith and myself were that the Federal prisoners in Cahaba and Andersonville should be delivered on the Big Black for their equivalent of our men, and for this end that the country lying between the Four-Mile Bridge and the Big Black for a mile and a half on each side of the railroad, including the east end of the bridge on the Big Black, should be declared neutral ground.

On the part of the Confederate Government we have faithfully carried out this stipulation, and at your request, and with a view to lessen the sufferings and privations of your men, I consented to their being paroled to go North before the equivalent of our men was delivered here. I have just received official information from our commissioner of exchange that our prisoners captured at Mobile are en route to be exchanged at Vicksburg, besides other of your prisoners whom I expect. The terms of the stipulation between General Smith and myself were that the prisoners and their equivalent were to be delivered on the Big Black. I shall be obliged to remain here for some time to wait for these prisoners, and would respectfully request that the order withdrawing the guard, &c., may be suspended until these prisoners arrive, and the terms of the agreement entered into between General Smith and myself for our respective Governments are complied with, or at least until I can communicate with my Government and receive instructions. To withdraw the guards at this time with so short a notice would subject myself and the few officers I have with me to much inconvenience and personal hazard, as your guards are our only protection here.

I am, general, very respectfully, your obedient servant,

N. G. WATTS,
Colonel and Agent.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
April 26, 1865.

Maj. Gen. E. R. S. CANBY,
Comdg. Military Division of West Mississippi, New Orleans, La.:

GENERAL: I have the honor to request that you will cause the arrest of the following parties who are believed to be within the limits of your division and send them to this city: Judge Tucker, Mobile, formerly an editor and politician in Missouri; Minor Majors, whereabouts unknown; Thomas L. Clark, Grenada, Miss; Isaac Elisher, New Orleans; John Ralson, whereabouts unknown; Bob Louden, New Orleans, formerly of Saint Louis; ——— O'Keif, Natchez, Miss.; ——— Stinson and Kirk Roberts, Mobile, Ala. These parties have all been employed in the rebel secret service to burn steam-boats and Government property. I have some of their accomplices in prison here, some of whom have given detailed statements of their connection with the gang. From these confessions it appears that the boat and bridge-burning operations were conducted under the immediate supervision of Jeff Davis, Judah P. Benjamin, and Mr. Seddon. The names above given are those of some of the principals against whom I have the most ample evidence of guilt.

By direction of Major-General Dodge:

J. H. BAKER,
Colonel and Provost-Marshal-General.

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., April 26, 1865.

Col. C. G. SAWTELLE,
Chief Quartermaster, Army and Division of West Mississippi:

COLONEL: In order to accelerate the transfer of the rebel prisoners now at Ship Island to New Orleans you will please order all your transports returning from Mobile Bay to call at Ship Island and take as many men aboard as their respective capacities allow. Every boat will take a sufficient guard, say fifty men, for whom you will call on Colonel Bertram, commanding on east side of the bay.

Very respectfully, your obedient servant,

P. J. OSTERHAUS,
Chief of Staff.

GENERAL ORDERS, No. —. CHARLOTTE, N. C., *April 26, 1865.*

Brig. Gen. William Terry, having been ordered by the Secretary of War to report for duty, is assigned to the command of the prison district comprising the States of Virginia, North Carolina, and South Carolina, and will direct reports and communications to these headquarters at Augusta, Ga., or elsewhere in the field corresponding with their movements.

II. Capts. W. S. Winder and Samuel T. Bayly, assistant adjutant-generals, will report to Brig. Gen. William Terry for assignment to duty.

DANIEL RUGGLES,
Commissary-General of Prisoners.

WAR DEPARTMENT,
Washington City, April 27, 1865—7.40 p. m.

PROVOST-MARSHAL, *Portland, Me.:*

This Department has information from Canada that Jacob Thompson, George N. Sanders, and Beverly Tucker, rebel agents, are, or soon will be, at or in the vicinity of Portland, disguised and concealed, for the purpose of escaping to Europe. Every train that arrives and every vessel that leaves Portland should be searched for them and no effort spared for their apprehension. Please notify your people to be on the watch.

EDWIN M. STANTON,
Secretary of War.

(Same to Hon. William P. Fessenden, Hon. Hannibal Hamlin, collector of the port of Portland, and mayor of Portland.)

WAR DEPT., PROVOST-MARSHAL-GENERAL'S BUREAU,
Washington, D. C., April 27, 1865.

Capt. C. H. DOUGHTY, *Provost-Marshal, Portland, Me.:*

Jacob Thompson, George N. Sanders, and Beverly Tucker are expected to arrive in Portland soon from Canada to take passage for Europe. Do everything possible to detect and arrest them. Let all persons arriving at or leaving Portland be carefully scrutinized, using your detectives for this purpose in such a way as not to disclose your object or attract attention further than necessary. Try and get some person who can identify the parties or get descriptions of them. They will probably be disguised. Acknowledge receipt by telegraph and report anything of importance.

JAMES B. FRY,
Provost-Marshal-General.

RICHMOND, *April 27, 1865.*

Lieut. Gen. U. S. GRANT,
Commanding the Armies of the United States:

GENERAL: I transmit for your perusal a communication* just received and ask your interposition in behalf of the authors. Similar statements have been made to me by officers of rank, which I have not thought it necessary to trouble you with, believing that the obstacles mentioned would be removed as soon as possible. This is still my conviction, and I should consider it unnecessary to call your attention to the subject had I not been informed of orders issued by the military commanders at Norfolk and Baltimore requiring oaths of paroled soldiers before permitting them to proceed on their journey. Officers and men on parole are bound in honor to conform to the obligations they have assumed. This obligation cannot be strengthened by any additional form of oath, nor is it customary to exact them.

Very respectfully, your obedient servant,

R. E. LEE,
General.

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*Not found.

HDQRS. DEPARTMENT OF THE CUMBERLAND,
OFFICE PROVOST-MARSHAL-GENERAL,
Nashville, Tenn., April 27, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners:

GENERAL: On the 24th instant I telegraphed you as follows:

Are released prisoners of war to be allowed to go to their homes, or are they required to remain within the loyal States? Are soldiers of General Lee's army furnished transportation by our Government to their homes?

I received in reply the following:

Released prisoners of war must remain within our lines. Transportation is not furnished to paroled men of Lee's army.

By released prisoners of war I had reference to prisoners of war released from Northern prisons. Many of them come here with papers from commanding officers of prisons showing their release, but I questioned whether it was the intention of the Government to let them go through the lines. The answer I received seems to imply that they are already within rebel lines, and I infer it has reference to paroled prisoners of war, and on this point I desire instructions. A great many of Lee's men come here and desire to go to their homes. Some of them live in Kentucky and some in Tennessee. Is it proper to let them go home when they live inside our lines? Should they not stay within rebel lines? Where prisoners of war who have been paroled by General Wilson and General Stoneman report or are forwarded here, ought they not to be held as prisoners of war and sent North for exchange?

I am, general, very respectfully, your obedient servant,
J. G. PARKHURST,
Colonel and Provost-Marshal-General.

[APRIL 27, 1865.—For reports and correspondence relating to the loss of the steamer Sultana in the Mississippi River, with paroled Union prisoners on board, see Series I, Vol. XLVIII, Part I.]

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., April 27, 1865.

Maj. Gen. GORDON GRANGER, *Thirteenth Army Corps:*

SIR: Lieutenant-Colonel Sawtelle has been instructed to cause all transports returning from Mobile Bay to New Orleans to touch at Ship Island, in order to assist in transferring the prisoners to the Mississippi, and to call on Colonel Bertram at Blakely for the necessary guards. Be pleased to direct Colonel Bertram to have the detachments so detailed fitted out for immediate field service, and the commanding officers instructed to report on their arrival at New Orleans to the headquarters of the Military Division of West Mississippi.

Very respectfully, your obedient servant,
P. J. OSTERHAUS,
Chief of Staff.

WAR DEPARTMENT,
Washington, D. C., April 28, 1865—3 p. m.

Major-General DIX, *New York:*

There is reason to believe that Jacob Thompson is now in Boston or Portland, though possibly he may be in New York. He is to be joined soon by a considerable party of rebels from Canada, who design to seize or otherwise procure a vessel with which to make their way to the Rio Grande. Thompson may be detected by the fact that his eyelids are greatly inflamed, so that his eyes are often nearly closed, and he is obliged to wipe them constantly.

C. A. DANA,
Assistant Secretary of War.

WAR DEPARTMENT, *Washington City, April 28, 1865.*

Maj. Gen. L. WALLACE,
Commanding Middle Department, Baltimore:

The questions submitted in your telegrams of the 23d and 26th instant are before the Secretary of War, and you will be advised at an early moment of his decision thereupon.

JAS. A. HARDIE,
Inspector-General U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 28, 1865.

Maj. Gen. C. C. AUGUR,
Commanding Department of Washington, Washington, D. C.:

SIR: The President of the United States directs that Maj. J. B. Castleman and Lieut. W. E. Munford, C. S. Army, so called, now in the Old Capitol, be forwarded under a strong guard to Bvt. Maj. Gen. A. P. Hovey, commanding at Indianapolis, Ind., for trial.

I am, sir, very respectfully, your obedient servant,

W. A. NICHOLS,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 28, 1865.

Col. N. G. WATTS, *Agent of Exchange, C. S. Army:*

I have the honor to acknowledge the receipt of your communication of yesterday.* It is unnecessary to remind you that the delivery of prisoners of war is not taking place under any agreement between yourself and General Smith (this I understand you have stated to Captain Williams of my staff previous to his visit to General Canby), but under the telegraphic orders which you brought with you from General Grant and Commissioner Ould and those which have been communicated to you from Commissioner Ould by myself. I am willing to do anything for the personal comfort and safety of yourself and officers. The pontoon bridge and guard will therefore remain for the present and a daily train run over the railroad. I have received no

* See April 26, p. 515.

official notification of any prisoners to be sent here except that furnished to me yesterday by you, and the fact that the United States are to deliver here any which may be due to your authorities.

In view of the general armistice which goes into effect to-morrow morning, it appears useless to discuss any understanding you may have had with any of my officials in regard to the neutral ground, as the armistice covers the whole country in this neighborhood.

I am, very respectfully,

N. J. T. DANA,
Major-General.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., April 28, 1865.

Capt. J. S. CURTISS, *Provost-Marshal, Vicksburg, Miss.:*

CAPTAIN: The major-general commanding department directs that you send by railroad to-morrow morning all of the Confederate prisoners of war now in your custody (except Berry) to Big Black River, and there deliver them to Colonel Watts, agent of exchange, C. S. Army, taking therefor his memorandum receipt.

Very respectfully, your obedient servant,

WM. H. H. EMMONS,
Assistant Adjutant-General.

SPECIAL ORDERS, No. 84. } HDQRS. FIRST DIV., DEPT. OF KENTUCKY,
Lexington, Ky., April 29, 1865.

* * * * * * *

III. Capt. J. S. Butler, assistant adjutant-general, U. S. Volunteers, is hereby vested with full power as the representative of the brigadier-general commanding in all matters connected with the surrender and paroling of the division of Confederate troops commanded by Col. H. L. Giltner, in Eastern Kentucky, and any other Confederate troops in that portion of Kentucky under the terms laid down in a dispatch dated April 27, 1865, from these headquarters.

E. H. HOBSON,
Brigadier-General.

GENERAL ORDERS, No. 46. } HDQRS. DEPARTMENT OF THE GULF,
New Orleans, April 29, 1865.

All officers and enlisted men of the Confederate Army of Northern Virginia who have been paroled by order of Lieutenant-General Grant, as well as all other paroled prisoners, upon their capitulation and surrender, who may return to their homes within this department pending their exchange, will immediately on their arrival report to the nearest provost-marshal and register their names, rank, regiment, corps, and place of residence, and the date of and authority for their paroles. A strict compliance with this order will secure them protection from the military authorities until they are properly exchanged.

The provost-marshal-general of the department is charged with the execution of this order, and will take immediate steps to provide the necessary books of registry and issue such instructions to subordinate officers as will insure the most effective compliance herewith.

By command of Major-General Banks:

J. SCHUYLER CROSBY,
Bvt. Lieut. Col., Aide-de-Camp and Actg. Asst. Adjt. Gen.

[APRIL 29–JUNE 11, 1865.—For reports and correspondence relating to surrender of Confederate forces under M. Jeff. Thompson, see Series I, Vol. XLVIII, Parts I and II.]

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., April 29, 1865.

Col. IG. SZYMANSKI,
Asst. Agent of Exchange, Trans-Mississippi Dept., C. S. Army:

SIR: I have the honor to inform you that I have about 200 Confederate prisoners at my disposal, and propose leaving here Monday evening, May 1, or Tuesday morning, May 2, for Red River Landing, to deliver them to you.

In hopes that you may have some U. S. prisoners to deliver to me, I am, sir, very respectfully, your obedient servant,

WM. H. STERLING,
Captain and Agent of Exchange, Mil. Div. of West Mississippi.

WASHINGTON, *April 30, 1865.*

Maj. Gen. J. J. REYNOLDS, *Little Rock, Ark.:*

You may release the prisoners you have on their taking the amnesty oath and oath of allegiance, exercising your discretion about those who should not have this privilege extended to them. Invite every one to lay down their arms on the same terms, except you will only parole those who do not come within the President's amnesty proclamation.

U. S. GRANT,
Lieutenant-General.

GENERAL ORDERS, No. 47. } HDQRS. DEPARTMENT OF THE GULF,
New Orleans, April 30, 1865.

Paroled prisoners of war within the limits of the Department of the Gulf will not be allowed to bear arms or to appear in public in the uniform of the rebel army. The provost-marshal-general is directed to enforce a strict observance of this order.

By command of Major-General Banks:

J. SCHUYLER CROSBY,
Brt. Lieut. Col., Aide-de-Camp and Actg. Asst. Adjt. Gen.

WASHINGTON CITY, D. C., *May 1, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Since the resumption of exchanges we have received about 34,000 returned Union prisoners. There were estimated to be about 11,000 to be returned. These were to be delivered at points on the Atlantic and the Mississippi River, but the actual delivery has not been under our control, and it has only been through newspapers that we have understood that about 5,000 were to be delivered at Darien, Ga. They, when delivered, were to be sent to Camp Parole, at Annapolis, Md., under the direction of the commanding officer at Darien. They have not yet been reported as delivered even at Darien.

Some of those to be delivered on the Mississippi River it appears were sent to Vicksburg, where the commanding officer was under orders to forward them to Camp Chase or to Camp Benton.

In the execution of this order the commanding officer would necessarily resort to the Quartermaster's Department for transportation.

There has not been time for a special report to the Commissary-General of Prisoners by which to know the number sent forward from Vicksburg.

All that is yet known of the terrible disaster to the transport from Vicksburg has been reached through the newspapers, and it is impossible at the present time to indicate who, if any one, is at fault. The steamer with the returned prisoners must naturally have contained the reports and papers, showing the number on board, with the names of the officers and other details.

General Hoffman will obtain the first information, and will do whatever is possible to extend relief to the sufferers. Under the ordinary course of things he could have done nothing to prevent the calamitous accident that has happened.

Inclosed are copies of letters of instruction communicating your orders for the comfort of the prisoners, and it is presumed that General Hoffman, now in the West, will consider it his special duty to inquire into and report upon the proceedings under them.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols., Commissioner for Exchange of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,

Washington, D. C., May 1, 1865.

Maj. Gen. E. A. HITCHCOCK,

Commissioner for Exchange of Prisoners:

GENERAL: In accordance with your directions I have the honor to make the following statement in regard to the recent deliveries of paroled prisoners at Vicksburg, Miss.: On the 5th ultimo notice was received through the newspapers that some 11,000 paroled Union prisoners were to be delivered at Vicksburg, and a telegram was at once sent to Generals Canby and Dana by the Commissary-General of Prisoners asking the probable number and condition of the prisoners, and requesting that they might be ordered to Benton Barracks or Camp Chase, by General Orders, No. 72, 1862. On the 15th ultimo a telegram from Capt. G. A. Williams, provost-marshal, Memphis, Tenn., was received at this office, through the Adjutant-General, announcing, pursuant to instructions from Major-Generals Canby and Dana, that the rebels had about 4,700 Union prisoners in camp near Vicksburg awaiting exchange, viz: Seventy-two employés, thirty-nine citizens, and the remainder soldiers. The rebel commissioner agreed to return the thirty-nine citizens, but refused to deliver the remainder to be paroled, not knowing the terms of Lieutenant-General Grant's cartel and his communication with the rebel Government being cut off. In reply, the letter and telegram, copies of which were delivered to you this morning, were sent to Captain Williams and Major-General Dana.

On the 18th ultimo the inclosed telegram* was received from General Dana, but no further reports of their reception at any of the parole camps has yet been received. The Commissary-General of Prisoners

* See April 14, p. 492.

has no control over the transportation of paroled prisoners from the place of delivery to the various parole camps, the matter being entirely under the direction of the department commander who receives them.

Very respectfully, your obedient servant,

G. BLAGDEN,
Major, Second Mass. Cav., and Asst. to Com. Gen. of Prisoners.

WAR DEPARTMENT, *Washington City, May 1, 1865.*

Bvt. Brig. Gen. A. P. HOVEY,
Commanding District of Indiana, Indianapolis, Ind.:

You will have the prisoners Bowles, Milligan, and Horsey at once placed in irons. You will increase the guard over them and take every precaution necessary to prevent escape or rescue.

By order of the Secretary of War:

HENRY L. BURNETT,
Brevet Colonel and Judge-Advocate.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., May 1, 1865.

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

I have the honor to report that a special delivery of prisoners of war took place at this place on the 28th of April, and to inclose a copy of the rolls* and a copy of paragraph 8 of Special Orders, No. 145,* current series, from these headquarters, directing the men to proceed to Camp Chase, Ohio, pending a declaration of exchange from the Adjutant-General's Office, which I request may be speedily made, as the rebels have already ordered their men to duty.

Very respectfully,

N. J. T. DANA,
Major-General.

[MAY 1–10, 1865.—For reports and correspondence relating to the pursuit and capture of Jefferson Davis, see Series I, Vol. XLIX.]

WAR DEPARTMENT, JUDGE-ADVOCATE'S OFFICE,
Washington, D. C., May 2, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In obedience to your request I have the honor to submit that soon after the commencement of the rebellion the secret order known as the Knights of the Golden Circle throughout the Western and border States ceased to meet or show any signs of vitality. This arose from the fact that prior to that time the head and principal part of the body of this organization was in the South, and when that became severed by reason of military operations there was left in the North only the tail of this venomous thing, but zoöphyte like this severed portion soon began to manifest an independent and active existence. In the

* Omitted.

latter part of 1862 and the early part of 1863, by the attentive nursing of the traitors in the North, such as Judge Bullitt, of Kentucky; P. C. Wright, of New York; James A. Barrett, of Missouri, &c., it had grown to formidable proportions and had been rechristened by the name of American Knights. There is no question that this secret order was, *per se*, a treasonable conspiracy. Every man of ordinary intelligence who, in view of the existence of a formidable armed rebellion in the land, subscribed to the oath of that order, first having read its ritual, was a traitor.

The object of the leaders of the order seemed to be to educate the masses of the Democratic party, and were already prepared to weld together all the hostile elements of the North in bitter hatred of the Administration and its avowed policy, and by inflammatory and incendiary appeals to arouse in their breasts such a degree of hostility toward the Government that when the fitting time came they would be ready, at the beck of their leaders, to spring to their bloody work. The leaders of the order, all of whom were formerly of the old Democratic party, and were now a legion, sought to educate the mass of their party outside of the order up to their disloyal standard. Their purpose was carried forward by means of their newspapers, public addresses, and by the proselyting work of the humbler members. Their intent seemed to be to make of this order and the embittered Democracy and malcontents throughout the land—to be aided at the proper time by the released rebel prisoners and by the co-operation of certain rebel chiefs and their forces—one grand, united, hostile mass, which should at the proper time be hurled against the Government and its army.

When the order had increased and had become formidable in its proportions, some of the leaders became alarmed at the open treason set out in the oath, and, calling a meeting of the grand commanders of the order in New York on the 22d of February, 1864, struck from the ritual the more apparent treason, and the vile thing was named anew, Sons of Liberty. No material change was made in the ritual. All those parts were retained which referred to the State sovereignty doctrines of Thomas Jefferson and Calhoun. The want of power in the Government to coerce a State, and the enunciation of the inherent right and duty of the people to remove a Government by force of arms whenever it or any of its branches should assume to exercise powers not delegated, and if undelegated powers were exercised, such exercise of power was usurpation, and the removal of usurpers by force of arms was not merely a right but a duty. Take these avowed principles in connection with the fact that the order was to judge when undelegated powers were exercised, and the order claimed, en masse, on all occasions, that the Government was usurping unconstitutional authority; that the President was a tyrant and usurper, and the inexorable logic of such reasoning would have resulted in a most bloody insurrection had not the strong executive arm at the auspicious moment grasped and strangled this venomous thing.

In the trials at Indianapolis and Cincinnati it was proved that a well-digested plan was agreed upon for an uprising of this order, in conjunction with the disloyal element, on the 10th of August, 1864; $2,000,000 had been furnished by the Confederate Government to carry forward this work. In the uprising the arsenals at Indianapolis, Columbus, Springfield, Ill., and Chicago were to be seized and the arms distributed to the order and to the rebel prisoners when released; cities were to be sacked and burned, and the Government brought to terms with the rebels, and

to assent to the establishment of a Northwestern confederacy. A committee of ten had been appointed to assassinate Governor Morton. Jacob Thompson, of Canada, furnished H. H. Dodd, of Indianapolis, with $75,000, with which Dodd purchased the arms which were afterward seized at Indianapolis, and it was further shown that the money was furnished upon the express condition of an uprising, including the release of the rebel prisoners and the placing of these arms in their hands.

The conspiracy failed—(1) because the rebels failed to co-operate as arranged; (2) because the designs of the order and its contemplated plot were exposed, and (3) because the leaders were at the time seized and held by the military authority. This prompt action substantially crushed out the Order of the Sons of Liberty, caused the lodges and temples to burn their records, put an end to their meetings, and disbanded the order.

The leaders in these conspiracies are still living, still in the country, and many of them actuated, as heretofore, by an implacable hate of our present Government. Added to this there is found, drifting up to us from the South, men possessed, seemingly, of a perverted nature, and moved by a still more venomous hate toward our Goverment and her institutions. These congenial elements are uniting for evil.

In my investigations, to which the late national calamity has given rise, I find the footprints of this old Order of Knights of the Golden Circle crossing my path in all directions, probably brought here from the South. Prompt and vigorous measures, I respectfully submit, should be taken by the Government to meet and crush this element, fiend-like in its manifestations, or it may become a power that will be troublesome if not dangerous to handle. There is reason to believe that many, if not all, the persons connected with the late assassination of the President were members of this resuscitated Order of Knights of the Golden Circle.

All of which is respectfully submitted.

H. L. BURNETT,
Brevet Colonel and Judge-Advocate.

U. S. ATTORNEY'S OFFICE,
Indianapolis, Ind., May 2, 1865.

Judge-Advocate HOLT, *Washington City, D. C.:*

SIR: I have been informed that an effort will be made by the attorneys of Messrs. Bowles, Milligan, *et al.*, recently tried in this district by military commission, to have the defendants brought before the judges of the Federal court by writ of habeas corpus, to the end that the question of jurisdiction of said commission may be decided, as they hope, adversely, and that the defendants be delivered up to the civil authorities for trial, &c.

I have understood that you have carefully examined this question of jurisdiction and have delivered an opinion in the premises. I therefore write to request that you send me by return mail a copy of the same, as it will be of much service to me in meeting the question proposed to be raised before the court.

Yours, truly,

JOHN HANNA,
U. S. District Attorney.

NEW YORK, *May 2, 1865.*

Hon. ANDREW JOHNSON, *President of the United States:*

DEAR SIR: I regret to trouble you so often in behalf of Governor Foote. I think you will pardon me under the circumstances. He is at a quiet boarding house in this city, and expresses himself ready and willing to do anything you may desire for the benefit of your administration. I have advised him, if he could obtain your permission, to go to the Pacific Coast and remain quiet, which he is willing to do. If you will consent I will be responsible for his conduct. I am sure he will do no harm in that country, and his present views, if known by his personal friends, would, I think, do some good. I inclose his application to you, hoping it will be favorably considered.

Yours, respectfully,

WM. M. STEWART.

[Inclosure.]

NEW YORK CITY, *May 1, 1865.*

The PRESIDENT:

The undersigned has the honor most respectfully to make known that being yet under parole and restricted in regard to his movements, so that he is not allowed for the present to go to any place south of this city, begs leave to state that, inasmuch as it is deemed advisable that he shall not return at once to his own residence in the city of Nashville, he may be permitted to go to the Pacific Coast, where he has four daughters residing, eight grandchildren, and an only sister. The war being evidently at an end, the undersigned hopes that this his wish will be gratified, as he is exceedingly solicitous to be restored once more to the society of his family and friends and spend the evening of his days in quietude and repose. If Your Excellency shall consent to my release from the obligations which at present rest upon me I hope to be permitted, ere I go to the West to pay a short visit to an old and respected friend, Judge Swayne, of Columbus, Ohio, and take leave there of my wife and children.

Wishing you, most sincerely and cordially, continued health, and a prosperous and glorious administration of the public affairs committed to your management,

I have the honor to be, your friend and obedient servant,

H. S. FOOTE.

[Indorsement.]

EXECUTIVE OFFICE, *Washington, D. C., May 4, 1865.*

Respectfully referred to the Honorable the Secretary of War, with the suggestion that unless Mr. Foote goes beyond the limits of the United States proceedings be had with a view to his indictment for treason.

ANDREW JOHNSON,
President of the United States.

RICHMOND, VA., *May 2, 1865.*

Maj. Gen. E. O. C. ORD, U. S. Army,
Commanding Army of the James, Richmond, Va.:

GENERAL: Will you be so kind as to send the accompanying communication to the Secretary of War, and if not inconsistent with your duty to approve it and to aid it as far as lies in your power? It may

not be amiss here to state that while acting as inspector-general in the Confederate service it became my duty to inspect Andersonville, Ga., and other depots of U. S. prisoners of war. While thus engaged I endeavored in my official capacity, by every means within my reach, to ameliorate their condition, as far as the limited resources of the Confederate Government would allow, and sought to remedy existing abuses by such instructions and suggestions as my own personal experience in prison life taught me were requisite and advisable, in consequence of which I was denounced as a sympathizer with the North, &c., by those whose neglect and indifference I found it necessary to expose. Although unable to accomplish nearly all in behalf of these prisoners that I desired, yet I have the satisfaction of knowing that my labors were not entirely in vain and that my action resulted in much benefit to them. I have reason to believe that it was chiefly owing to my reports and recommendations to that effect that two of the principal officials at Andersonville, to whose neglect and indifference much of the suffering of the prisoners there were attributable, were removed, although not until a late day. I have heard that my "inspection report" of Andersonville was picked up by the U. S. troops shortly after their occupation of this city and forwarded to Washington. If such is the case the evidence of my efforts in behalf of these prisoners is in the hands of the Department. I can, however, confidently refer to Judge Campbell, formerly Assistant Secretary of War here, through whose hands my report passed, and to Col. B. S. Ewell, of this city, with whom I have freely communicated on many occasions with respect to my efforts to reform the abuses of that place, with some of which his official position had made him previously acquainted. I have mentioned these facts in the belief that your knowledge of them will not less incline you to use your influence in my behalf.

With much respect, I am, sir, your obedient servant,

D. T. CHANDLER.

[Indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
May 3, 1865.

The within application of D. T. Chandler is respectfully forwarded approved; this on account of the character of this gentleman when in the U. S. service.

E. O. C. ORD,
Major-General, Commanding.

[Inclosure.]

RICHMOND, VA., *May 2, 1865.*

Hon. E. M. STANTON, *Secretary of War, Washington, D. C.:*

SIR: I have the honor to submit the following statement, for which I respectfully ask the favorable consideration of the Executive. I tendered the resignation of my commissions as major and brevet lieutenant-colonel, retired list, U. S. Army, in the month of December, 1862, and was duly notified by the Department that it had been accepted, to take effect on the 24th of that month. On the 9th of February, 1863, I attempted to cross the Potomac to Virginia for the purpose of attending to private business, which required my presence there, and was arrested in the attempt and taken to Washington. While in Texas in the spring of 1861 inducements were held out to me to resign my position in the U. S. Army and enter the Confederate

service, and offers were made from Mr. Davis, through a special agent, to me and other officers of the Army of high position in the Southern Army, which offers, for my own part, I positively declined. At the time I attempted to reach Virginia more than twenty months had intervened and these offers had lapsed, and were no longer in force and had not been renewed. On arriving at Washington I was placed in confinement, and so kept in that city nearly nine months, during which time I was repeatedly told that I would neither be released nor exchanged, but would be held as a prisoner during the war, although at the same time it was admitted that there were no specific charges against me. While thus held as a prisoner I addressed a communication to the military authorities pledging myself "not to attempt to go South, if released, or if sent South, not to enter the Confederate Army." To this no answer was received, and subsequently finding that my health had become seriously impaired from my long confinement, and casually learning of the capture of Mr. Andrew Johnson, a nephew of His Excellency President Johnson, I made an offer "if sent South to effect his release and delivery to the U. S. authorities within thirty days." After some delay this offer was accepted, and I was sent to Richmond, without other conditions, and succeeded in obtaining the release of Mr. Johnson and his delivery to Colonel Mulford, agent of exchange, within the stipulated time. I remained in Richmond for several months attending to my private affairs, and wholly unconnected with the Government there in any capacity, civil or military, and in the latter part of February, 1864, an appointment was offered me in the Adjutant-General's Department, with the rank which I had relinquished some years ago in the Army of the United States. This appointment I accepted, being at the time held liable to conscription.

While in the Confederate service I performed no other duty than that of commander of a quarantine camp and as general inspector, under the immediate orders of the War Department. I had not been long in the South before I repented of the steps I had taken, and determined to embrace the first opportunity that I could with honor of retracing them, and of repairing, as far as in my power, what I considered the one great error of my life, and, if permitted to do so, of resuming my allegiance to the United States Government, which had twice recognized my services in battles by brevet rank conferred during the Mexican war, and under whose banner I had (with some loss of blood) served faithfully for more than a quarter of a century. Accordingly, I tendered my resignation last winter and applied to the authorities here for a passport to return to Maryland. While my resignation was pending General Singleton, of Illinois, visited this city (in February last), and on making known my status and wishes to him he promised to aid me in obtaining the necessary passport from the U. S. authorities. Before he accomplished this (my resignation in the meantime having been accepted) the U. S. forces took possession of this city, where I remained to await their arrival. I have freely and willingly taken the prescribed oath of allegiance to the United States Government, with the full resolve faithfully to perform all its obligations, and respectfully petition that I may be admitted to the benefits of the amnesty offered by the Government of the United States to persons engaged in the late rebellion against its authority.

Misled by evil counsels, I have reluctantly been drawn into the commission of a fatal error, which has resulted in impoverishing me and mine, and in sweeping away the results of the labor of a life, the greater part of which has been spent in the service of my country.

My only profession is gone, and I seek now to labor for the maintenance of the helpless ones who are dependent upon me for support.

With much respect, I am, sir, your obedient servant,

D. T. CHANDLER.

GENERAL ORDERS, No. 50. HDQRS. DEPARTMENT OF THE GULF, *New Orleans, La., May 2, 1865.*

Prisoners of war on parole within the Department of the Gulf, and all officers and soldiers who have been connected with the rebel Army and are not registered, are required to report to the provost-marshal-general forthwith. The neglect of this duty will be followed by forfeiture of rights conferred by the parole, or arrest and imprisonment.

Prisoners of war on parole granted by competent authority are allowed to return "to their homes not to be disturbed by the U. S. authorities so long as they observe their parole, and the laws in force where they may reside." But they are to be regarded as prisoners of war. They will not be allowed to bear arms, to wear in public the uniform of the rebel Army, the uniform of the United States, or any distinctive badge of military service.

They are not entitled to participate in the management of public affairs or to enter upon business pursuits.

All persons will be required strictly to conform to regulations of the department in their intercourse with paroled prisoners of war.

No person who has been engaged in civil employments, within or by the rebel Government, will be allowed to return or to remain in the department, except upon reporting to the provost-marshal, and a compliance with the conditions established by law.

By command of Major-General Banks:

J. SCHUYLER CROSBY,
Bvt. Lieut. Col., Aide-de-Camp and Actg. Asst. Adjt. Gen.

RICHMOND, *May 3, 1865.*

Hon. E. M. STANTON:

It is ascertained that at least a part of the money sent from the North for the use of our prisoners of war was diverted to other purposes, and the evidence seems to implicate Robert Ould and his assistant, Hatch. I have arrested both, and shall keep them in prison till a full investigation can be made.

H. W. HALLECK,
Major-General.

WASHINGTON, *May 3, 1865.*

Major-General HALLECK, *Richmond:*

Your action in respect to Ould and Hatch is cordially approved. I hope you will give the matter a rigid scrutiny, and if their guilt be established that they will receive exemplary punishment. Is there any objection to the publication of your telegram, with a call upon all who transmitted funds for prisoners to furnish you with a statement of date, amount, for whom intended, and by what channel sent?

E. M. STANTON,
Secretary of War.

RICHMOND, VA., *May 3, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

I think it will be well to keep everything quiet about the Ould an Hatch affair till further developments are made. I am on the track o the money and supplies sent to Libby Prison and a disclosure ma prevent the success of the search. Neither Ould nor Hatch has bee informed of the cause of their arrest.

H. W. HALLECK,
Major-General.

HEADQUARTERS DISTRICT OF SAVANNAH,
Savannah, Ga., May 3, 1865.

ASSISTANT ADJUTANT-GENERAL,
Headquarters Department of the South:

I have just received a written communication from Augusta, as fo lows, viz:

I will leave this city on Monday, May 2, with about eighty paroled Federal pri oners of war, comprising ten officers and seventy privates, that I am prepared t deliver at Sister's Ferry to the officer in charge of the Federal truce steamer, or suc other officer as may be authorized by you to receive and receipt for them, as provide in the cartel of 1861 [1862], &c.

M. J. BRIEN,
Captain and Assistant Agent for Exchange.

I had not intended to send up a boat to Sister's Ferry on next Thur day, but unless directed to the contrary from your headquarters will d so for the special accommodation of the prisoners mentioned. They wi hardly make any connection with the boats already gone up. Pleas answer.

C. GROVER,
Brevet Major-General, Commanding.

HILTON HEAD, *May 3, 1865.*

Bvt. Maj. Gen. C. GROVER, *Commanding District:*

GENERAL: I am directed by the major-general commanding t acknowledge the receipt of your telegram of this date, and in reply t say that you are authorized to send a boat to Sister's Ferry and receiv the Union officers and soldiers, paroled prisoners of war, whom th rebels are prepared to deliver at that point.

Respectfully,

T. D. HODGES,
Captain and Acting Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, May 4, 1865.*

Major-General HALLECK, *Richmond:*

A trunk containing correspondence of George N. Sanders was take from the office of the Southern Express Company at Lynchburg and co cealed in the cellar of William B. Black, agent of the company at tha place, on Tuesday, the 11th of April, and is believed to be there no or its place of deposit known to Black. Please take prompt measure to secure and transmit it here unopened, and so that nothing can b abstracted. Mrs. George N. Sanders and her daughter are boardin

at Cook's boarding house on Eighth street, Lynchburg. They should be arrested and vigorously searched, and also their trunks, apartments, &c. The daughter is married to a rebel captain, who is a Dutchman and calls himself a count. He is known to have been going back and forward to and from Canada, and should be searched, seized, and held for examination. Much may depend upon the promptness and skill with which these seizures and searches are made. Mr. Bullock, of the Southern Express, from whom the information comes, starts for Richmond to-day with a letter from me to you on the subject. You can wait to see him if you think best.

EDWIN M. STANTON,
Secretary of War.

RICHMOND, VA., *May 4, 1865.*

Hon. E. M. STANTON, *Washington:*

Dispatch in regard to Lynchburg matters received and attended to. I hope by search of houses in Richmond to-night we may obtain further information. I will have everything organized as early as possible, but probably will not be able to act before Mr. Bullock's arrival.

H. W. HALLECK,
Major-General, Commanding.

[MAY 4, 1865.—For memorandum of the conditions of surrender of the Confederate forces under Taylor to Canby, see Series I, Vol. XLIX, Part II, p. 609.]

FLAG-OF-TRUCE BOAT LIBERTY,
TEMPORARY OFFICE OF AGENT OF EXCHANGE,
Hog Point, La., May 4, 1865.

General E. K. SMITH,
Commanding Trans-Mississippi Department, C. S. Army:

SIR: I have the honor to request that all our men now prisoners in Texas be turned over to me on parole at some not distant period. In return for this favor if granted I will keep the men on their arrival at New Orleans under guard, treat them as prisoners of war until duly exchanged, and I will not declare them so until equivalents for them will have been turned over to your agent of exchange.

In hopes that this request will be complied with,

I am, sir, very respectfully, your obedient servant,

W. H. STERLING,
Agent of Exchange, Military Division of West Mississippi.

Statement of exchanges between Trans-Mississippi Department, C. S. Army, and Military Division of West Mississippi, U. S. Army, this 4th day of May, 1865:

Delivered to this date by Trans-Mississippi Department	5,844
Delivered to this date by Military Division of West Mississippi	5,901
Trans-Mississippi Department is indebted to United States to this date	57

IG. SZYMANSKI,
Asst. Adjt. Gen. and Agent of Exchange, Trans-Miss. Dept.

ANDERSONVILLE, GA., *May 4, 1865.*

Maj. Gen. HOWELL COBB, *Macon, Ga.:*

GENERAL: After having, in obedience to orders, paroled for exchange (at Baldwin, Fla.) all the prisoners of war from this post, I returned yesterday. There being no duty for me to perform, and the armistice requiring my return to my home, I avail myself of a leave of absence on surgeon's certificate and leave for my home in Florida to-day if I can get transportation from Albany. Failing in that I propose reporting to you to-morrow. I regret to inform you that in the absence of all guard a raid of soldiers, their wives, and the citizens was made upon the military stores last night and all the small amount here taken off. Government mules and everything in the way of provisions and unused clothing and bedding were taken from the quartermaster's and hospital departments.

Very respectfully, your obedient servant,

GEO. C. GIBBS,
Colonel, &c.

WAR DEPARTMENT,
Washington City, May 5, 1865—9.50 p. m.

Major-General DIX, *New York:*

The President directs that you inform Mr. Foote that his letter asking leave of the President to go to California has been received and the application refused. The President further directs that you notify Mr. Foote that if he does not leave the United States within forty-eight hours after receiving your notice he will be arrested and dealt with for treason and rebellion against the United States Government. You will report whether he complies with the order of the President.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
May 5, 1865.

JOHN HANNA, Esq.,
U. S. District Attorney, Dist. of Indiana, Indianapolis, Ind.:

SIR: Your communication of the 2d instant, in which you advise me that you have been informed that an effort is to be made to bring the cases of Bowles and others before a Federal judge on habeas corpus, and ask me for a copy of my opinion in regard to the jurisdiction of the military commission in their cases, has been received at this Bureau. In reply, I have to call your attention to the fact that under the President's proclamation of September 15, 1863, suspending the privilege of the habeas corpus in all cases of persons held in military custody for military offenses, any Federal or State judge would be obliged to dismiss an application made for the writ in behalf of these parties. So far as the knowledge of this Bureau extends the Federal judges have invariably refused to entertain such applications since the date of the proclamation. Moreover, the Supreme Court of the United States has decided in *ex parte* Vallandigham (1 Wallace, 243) that it has no authority to review the proceedings of military commissions, either on habeas corpus or certiorari, either by virtue of its original or its appellate jurisdiction. It is not conceived, therefore, that the case of Bowles, &c., can possibly come to be formally reviewed by a

Federal or even State court. I send you, however, by this mail the Digest of Opinions of the Judge-Advocate-General, recently published by this Bureau, in which, on pages 79 and 80, an opinion on the point of jurisdiction is substantially set forth. To the extract in the digest is added also the following paragraph, found in the opinion as contained in the records of the Bureau:

> Moreover, the offenses of these parties were committed in a locality under the pressure of a vast civil war, the effect of which is *ex necessitate* to suspend for a time, for the preservation of the whole, some portions of the legal safeguards thrown around the citizen in time of peace. Indeed, the inherent right of every Government to punish crimes against the nation by military courts has been too frequently and too authoritatively decided to belong to the Government of the United States to render it necessary to repeat the argument on the subject.

I have the honor to be, very respectfully, your obedient servant,

J. HOLT,
Judge-Advocate-General.

EXECUTIVE DEPARTMENT,
Wheeling, W. Va., May 5, 1865.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: I respectfully call your attention to the inclosed copy of an order from Lieutenant-General Grant to the commander of the Middle Military Division.* in which it is said that rebel officers and soldiers who surrender on the same terms that were given to Lee may return to their homes in West Virginia on their parole, while they are not allowed to return to Delaware, Maryland, Kentucky, &c., and request your decision thereon so far as it affects West Virginia. From the face of this order I am induced to believe that General Grant was controlled in his decision by the simple fact that Virginia (of which we were a part) passed an ordinance of secession; but in my opinion this fact should not place this State in the category assigned her by this order. I think she is entitled to the same protection that is extended to Maryland, Kentucky, &c. It seems to me that we are entitled to the benefit of Attorney-General Speed's late opinion.

West Virginia has been loyal from the beginning, and has at all times heretofore been treated as such by the Government. In the President's proclamation declaring what was insurrectionary territory, and following this with emancipation and the imposition of various restrictions, she has been excepted. She has furnished her quota of troops under all calls without murmur or complaint, and, as you have been pleased to bear public testimony, those troops have done noble service for the country and have reflected honor on their State.

Our situation is a peculiarly unfortunate one. Situated on the border, very many went from here into the rebel army, and now they return, wearing their rebel uniforms, and many of them with as much impudence and insolence as when they went away. The loyal people here feel themselves insulted by the conduct of these rebels, and are only restrained from decided action by their love of law and order and their great respect for the orders of those in authority.

If it shall be decided that these paroled men may come here under the terms of their surrender, is it intended that the war power guarantees this right as against State regulations? I request your early consideration of this matter, and if your opinion is adverse to the return

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* See Series I, Vol. XLVI, Part III, p. 838.

of these rebels that you issue an order to that effect, or authorize me to make your decision public.

I am, very respectfully,

A. I. BOREMAN,
Governor.

[MAY 5, 1865.—For Banks' General Orders, No. 51, relating to status of civilian enemies returning to the Department of the Gulf, see Series I, Vol. XLVIII, Part II, p. 319.]

RICHMOND, VA., *May 5, 1865—1 p. m.*

Lieut. Gen. U. S. GRANT:

I ordered the arrest of Smith when I first arrived. Think he has gone to South Carolina. Have ordered General Schofield to endeavor to catch him. Have also ordered the arrest of Letcher. Hunter is said to be quietly at his home advising all who visit him to support the Union cause. His hostility to Davis did much to make him (Davis) unpopular in Virginia. Considering these and the fact that President Lincoln advised against disturbing Mr. Hunter at this time, I would prefer not to arrest him unless specially ordered to do so. All classes are offering to take the amnesty oath, and those excluded from its benefit are nevertheless taking it and making petitions for pardon. It would be unfortunate to check by unnecessary arrests this general desire for amnesty. Many of Lee's officers have come forward to take the oath, and it is reported that even Lee himself is considering the propriety of doing so and of petitioning President Johnson for pardon. Should he do this the whole population with few exceptions will follow his example.*

H. W. HALLECK,
Major-General.

RICHMOND, *May 5, 1865.*

Mr. GEORGE T. GARRISON, *Accomac County, Va.:*

DEAR SIR: Having an idea of leaving the United States, and unwilling to leave myself connected with any transaction which could by any possibility be tortured into any reflection upon myself, I give you the following facts: Some time during the summer of 1864 General Stoneman and his command, while on a raiding excursion through the State of Georgia, were captured and the privates were sent as prisoners of war to Andersonville, Ga. Owing to the fact that they had been pillaging and stealing everything that they could lay their hands on from the citizens of Georgia, General J. H. Winder ordered all species of property found in their possession to be taken from them and deposited in my hands as post quartermaster. This order was executed by the commandant of prison. I was then instructed to return all property identified to original and rightful owners and to hold the balance subject to orders. I have thus returned all identified property, and in obedience to orders have the balance on hand. Knowing the bitter feelings of the Federals to any one connected with the prison depart-

* This in reply to Grant of May 4, Series I, Vol. XLVI, Part III, p. 1082. For other correspondence relating to Governor Smith, not published in this series, see Series I, Vols. XLVI and XLVII.

ment, I have not considered it advisable at present to call the attention of any Federal officer to these facts or to turn over said property to them for their action in the matter, but at the same time am unwilling to hold them without a proper explanation to be used in my defense hereafter in case any charges are brought against me. Some of the property evidently belongs to citizens of Georgia, while other of it was evidently the property of the prisoners themselves. No list of prisoners' names from whom these things were taken was ever furnished me, and consequently I can give no information as to the individual ownership. I place these facts and property in your hands, subject to your discretion, and in order that, as a friend of mine, you can protect me from any complaints which may be brought against me in the matter. Any of the officers stationed at Andersonville at the time of this transaction will confirm my statements, as will also my clerks. All other property in my hands belonging to prisoners of war has been turned over to them through the proper channel, the moneys through the hands of Capt. Thomas R. Stewart, Company G, First Maryland Regiment, to Colonel Ould, agent of exchange, and other property through the commandant of prison at Andersonville. Hoping that it will not be asking too much of a favor to protect me as far as in your power in this matter,

I am, your very true friend,

R. B. WINDER.

P. S.—Inclosed find W. H. Hatch's receipt* for Federal funds and Wirz's receipt* for other articles, viz, thirty-nine watches and parts of same, four teaspoons, one tablespoon, two forks, one lot of trash too worthless to enumerate.

R. B. W.

HEADQUARTERS COMMISSARY-GENERAL OF PRISONERS,
Augusta, Ga., May 5, 1865.

Brigadier-Generals TERRY and IMBODEN,
Commanding Prison Districts, and
Subordinate Commanders of Prisoners of War:

The Commissary-General of Prisoners directs me to instruct you to parole all Federal prisoners of war now held within our jurisdiction, according to established forms, and to send them under flag of truce in charge of competent officers to the nearest accessible point in the Federal lines for exchange, taking receipts in triplicate from Federal officers authorized to receive them for all prisoners thus delivered.

Circumspection and humane treatment in accordance with the customs of war will be strictly enjoined on all officers charged with these duties, and all others connected with the service of this department.

Reports and returns will be promptly rendered of all action under these instructions.

Very respectfully, your obedient servant,

[Not signed.]

WASHINGTON, *May 6, 1865—1 p. m.*

Major-General HALLECK:

Since your dispatch of the 3d [5th] I think it will be advisable to leave Hunter alone for the present. Although it would meet with opposition

* Not found.

in the North to allow Lee the benefit of amnesty, I think it would have the best possible effect toward restoring good feeling and peace in the South to have him come in. All the people except a few political leaders in the South will accept whatever he does as right, and will be guided to a great extent by his example.

U. S. GRANT,
Lieutenant-General.

WASHINGTON, D. C., *May 6, 1865—2 p. m.*

Major-General THOMAS, *Nashville, Tenn.:*

Paroled prisoners surrendered by Lee and Johnston and others entering into the same arrangement will be allowed to return to their homes if within any of the States which seceded. If belonging to other States they must take the oath of allegiance first, under the decision of the Attorney-General. Prisoners captured in battle are not to be allowed paroles nor the privilege of discharge in any way except on authority of the War Department.

U. S. GRANT,
Lieutenant-General.

[MAY 6, 1865.—For Palmer to Stanton, in regard to treatment of Confederate soldiers returning to Kentucky, and Stanton's reply (May 17), see Series I, Vol. XLIX, Part II, pp. 638, 823.]

HEADQUARTERS DEPARTMENT OF ARKANSAS,
Little Rock, Ark., May 6, 1865.

Maj. C. C. WHITE,
Provost-Marshal-General, Department of Arkansas:

MAJOR: The major-general commanding directs that the operation of paragraph 5, Special Orders, No. 106, dated 3d instant, be suspended, and that the prisoners of war sent by you to the steamer for transportation to New Orleans for exchange be returned to the prison at this place, with a view to submit to them a proposition to take the amnesty oath and oath of allegiance and return to their respective homes, authority for which has just been received from Lieutenant-General Grant, dated Washington, April 30, ultimo.*

Very respectfully,

JOHN LEVERING,
Assistant Adjutant-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE AGENT OF EXCHANGE,
New Orleans, La., May 6, 1865.

Capt. C. H. DYER,
Asst. Adjt. Gen., Military Division of West Mississippi:

SIR: I have the honor to inclose herewith statement of exchanges between Trans-Mississippi Department, C. S. Army, and Military Division of West Mississippi, U. S. Army, and a copy of a letter written by me to General E. K. Smith, commanding Trans-Mississippi Department.†

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* See p. 521.

† See May 4, p. 531.

I also have the honor to inform you that an agreement has been made between Major Szymanski, assistant agent of exchange, C. S. Army, and myself to meet again on 25th instant at Hog Point, La., at which time, so Major Szymanski promised, he will turn over to me a number of our prisoners now confined in Camp Ford, Tyler, Tex.

I am, sir, very respectfully, your obedient servant,

WM. H. STERLING,
Captain and Agent of Exchange, Mil. Dir. of West Mississippi.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., May 6, 1865.

Lieut. Col. H. A. M. HENDERSON,
Assistant Agent of Exchange, C. S Army:

Major-General Dana directs me to inform you that Capt. G. A. Williams, of the department staff, will be in readiness to turn over to you about 2,500 Confederate prisoners of war, commencing at about 8 o'clock to-morrow a. m., from on board the Atlantic and Mississippi Steamship Company's wharf boat and the steamer Indiana. You are requested to have an officer with you to superintend the transfer, in order that it may go on from both places at once.

I am, sir, respectfully,

FREDERIC SPEED,
Assistant Adjutant-General.

ANDERSONVILLE, GA., *May 7, 1865.*

Maj. Gen. J. H. WILSON, U. S. Army,
Commanding, Macon, Ga.:

GENERAL: It is with great reluctance that I address you these lines, being fully aware how little time is left you to attend to such matters as I now have the honor to lay before you; and if I could see any other way to accomplish my object I would not intrude upon you. I am a native of Switzerland, and was before the war a citizen of Louisiana, by profession a physician. Like hundreds and thousands of others I was carried away by the maelstrom of excitement and joined the Southern Army. I was very severely wounded at the battle of the Seven Pines, near Richmond, Va., and have nearly lost the use of my right arm. Unfit for field duty, I was ordered to report to Bvt. Brig. Gen. J. H. Winder, in charge of Federal prisoners of war, who ordered me to take charge of a prison in Tuscaloosa, Ala. My health failing me, I applied for a furlough and went to Europe, from whence I returned in February, 1864. I was then ordered to report to the commandant of military prisons at Andersonville, Ga., who assigned me to the command of the interior of the prison. The duties I had to perform were arduous and unpleasant, and I am satisfied that no man can or will justly blame me for things that happened here and which were beyond my power to control. I do not think that I ought to be held responsible for the shortness of rations, for the overcrowded state of the prison (which was in itself a prolific source of the fearful mortality), for the inadequate supplies of clothing, want of shelters, &c. Still I now bear the odium, and men who were prisoners here seem disposed to wreak their vengeance upon me for what they have suffered, who was only the medium, or, I may better say, the tool in the hands of

my superiors. This is my condition. I am a man with a family; I lost all my property when the Federal army besieged Vicksburg; I have no means at present to go any place, and even if I had I know of no place where I could go. My life is in danger, and I most respectfully ask of you help and relief. If you will be so generous as to give me some sort of a safe-conduct, or, what I should greatly prefer, a guard to protect myself and family against violence, I shall be thankful to you, and you may rest assured that your protection will not be given to one who is unworthy of it. My intention is to return with my family to Europe so soon as I can make the arrangements.

In the meantime I have the honor, general, to remain,

Very respectfully, your obedient servant,

HY. WIRZ,
Captain, C. S. Army.

[First indorsement.]

HDQRS. CAVALRY CORPS, MIL. DIV. OF THE MISSISSIPPI,
Macon, Ga., May 19, 1865.

Respectfully forwarded. Attention called to the letter of Captain Wirz and accompanying statement of escaped prisoners.

J. H. WILSON,
Brevet Major-General.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE CUMBERLAND,
Nashville, Tenn., May 26, 1865.

Respectfully forwarded to the Adjutant-General of the Army.

The writer of this will be sent under guard, in charge of Captain Noyes, Second U. S. Cavalry, this day to Washington for final disposition.

GEO. H. THOMAS,
Major-General, U. S. Army, Commanding.

GENERAL ORDERS, No. 85. WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, May 8, 1865.

Ordered, That all prisoners of war, except officers above the rank of colonel, who before the capture of Richmond signified their desire to take the oath of allegiance to the United States and their unwillingness to be exchanged be forthwith released upon their taking the said oath, and transportation furnished them to their respective homes. In respect to all other prisoners of war further orders will be issued.

The Commissary-General of Prisoners will issue the necessary regulations for preserving the requisite record of the prisoners of war to be released under this order, the record to set forth the name of the prisoner, his place of residence, the organization to which he belonged, the time and place of capture, &c. The oaths of allegiance will be administered by the commanding officers of the prison camps and forts, who will send by telegraph daily reports of the prisoners released to the Commissary-General of Prisoners. These reports will be consolidated for each day and transmitted to the Secretary of War.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

SPECIAL ORDERS, No. 215.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, May 8, 1865.

* * * * * * *

9. Paroled officers and men of the late rebel armies whose homes were, at the date of their joining these armies, in States that have never been in rebellion, and who are not excepted from the benefits of the President's amnesty proclamation, will, upon taking the oath prescribed therein, be permitted to return to their former homes in those States.

By command of Lieutenant-General Grant:

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 8, 1865.

Brig. Gen. A. SCHOEPF, *Commanding Fort Delaware, Del.:*

GENERAL: In pursuance of instructions received from the Secretary of War I have the honor to request that all prisoners of war, except officers above the rank of colonel, who before the capture of Richmond signified their desire to take the oath of allegiance to the United States, and their unwillingness to be exchanged, be forthwith released on their taking the said oath, and transportation furnished them to their respective homes. Please send by telegraph to this office daily reports of the prisoners released, giving the names, rank, company, and regiment, date and place of capture, and place of residence. The place of residence will be noted on rolls in the column of remarks. The foregoing order does not apply to citizen prisoners. In respect to all other prisoners of war further orders will be issued.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, and Commissary-General of Prisoners.
By G. BLAGDEN,
Major, Second Mass. Cav., and Asst. to Com. Gen. of Prisoners.

(Same to all officers in charge of prisoners of war.)

[MAY 8, 1865.—For order directing arrest of Zebulon B. Vance and resulting correspondence, see Series I, Vol. XLVII, Part III.]

[MAY 8, 1865.—For Reynolds to Adjutant-General U. S. Army, reporting number of Confederates taking amnesty oath and oath of allegiance at Little Rock, Ark., see Series I, Vol. XLVIII, Part II, p. 348.]

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, May 8, 1865.

Brig. Gen. WILLIAM HOFFMAN, U. S. Army,
Commissary-General of Prisoners:

GENERAL: I have the honor to forward herewith rolls of prisoners of war delivered at this place on parole by Lieut. Col. H. A. M. Henderson, assistant agent of exchange, U. S. Army, for the States of Ohio,

Michigan, Indiana, Tennessee, Kentucky, and Virginia. This completes the record of the whole of the deliveries at this place, with the exception of those which have taken place since the 1st instant, of which special reports have or will be made.

The majority of the men named on the rolls transmitted herewith were on the Sultana. All such were originally checked thus (✓), but since the shipment some names have been checked on the same rolls, so that it is impracticable at this time to identify the men who were on the Sultana, but a comparison of these rolls with the roll of men conducted to Camp Chase by Lieut. Ed. L. Davenport, Fifty-second U. S. Colored Infantry, on the 30th ultimo will show the name of each man embarked.

I am, sir, very respectfully,

N. J. T. DANA,
Major-General.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., May 8, 1865.

Brig. Gen. W. HOFFMAN, *Commissary-General of Prisoners:*

GENERAL: I have the honor to inform you that I have delivered to Maj. Ig. Szymanski, Confederate assistant agent of exchange in Trans-Mississippi Department, on May 4, 1865, at Red River Landing, La., equivalents for all our prisoners of war who have been paroled by Major Szymanski in February, 1865, at Red River Landing, and were received by Col. Charles C. Dwight, then agent of exchange for this division. The rolls of said officers and enlisted men were already forwarded by Colonel Dwight. I would respectfully request that you will have them declared exchanged.

Very respectfully, your obedient servant,

WM. H. STERLING,
Captain, First U. S. Infantry, Agent of Exchange.

WEST POINT, *May 8, 1865.*

Maj. Gen. GEORGE H. THOMAS:
(Care Captain Marshall.)

I am directed by Major-General Canby to inform you that by his directions about 1,000 prisoners of war of General Taylor's army belonging to Missouri will be sent to Paducah, there to await the pleasure of the War Department. Please inform commanding officer at Paducah.

GEORGE L. ANDREWS,
Brig. Gen., U. S. Vols., Com. for Paroling Prisoners of War.

Captain Marshall will deliver above to officer commanding U. S. forces at Eastport, Miss.

By command of Lieutenant-General Taylor:

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

VICKSBURG, MISS., *May 8, 1865.*

Brig. Gen. M. L. SMITH, *Commanding District of Vicksburg:*

GENERAL: The times upon which we have fallen are peculiar and require prompt and discreet action. I suppose it is the desire of all

well-meaning men to see peace restored to the country. Neither of the late contending sides wishes to see inaugurated a predatory warfare. You are aware of the fact that many thousand Confederate soldiers whose homes are remote from the place of parole or surrender are now in the country. I submit the following facts: First, these men are without money that can, in the present state of affairs, be employed as currency; second, all Confederate commissaries east of the Mississippi River have been surrendered, together with their supplies; third, the people in this section have been devastated by armies, and the heaviest levies for supplies have been imposed by each army in turn; fourth, a sordid and mean selfishness will pervade the feelings and actions of a great many, and the third fact mentioned will be used as an apology. Now, I submit if it is not probable that these men, who have fought for four years in a hopeless cause, when surrounded by such circumstances and denied by the Federal authorities the privilege of returning to their homes and transportation to enable them to reach them, will not league themselves together and determine by force to sustain themselves. Now, as corollaries to the foregoing I append: First. If a real peace, one which will enable peaceful avocations to be resumed and large armies to be disbanded, is the actual desire of the U. S. authorities, is it not a trivial matter, compared with the public good to ensue, to give these men transportation to their homes? By this means you prevent them from herding and organizing. Soon the United States proposes to muster out large forces. Among them are many restless, lawless characters who will strike hands with Confederate outlaws, and in large, roving bands of highwaymen desolate what remains of Southern prosperity and employ to a considerable extent the energies of the U. S. War Department. Around a nucleus large organizations may be gathered. To prevent an inauguration from necessity of guerrilla warfare every facility should be afforded Confederate soldiers to return to their homes. Second. I do not consider it good policy to require paroled prisoners to take the oath in order to receive transportation for the following reasons: First. The oath at present is taken from necessity and a morbid desire under all the circumstances to return to their homes. As such it appears to have the semblance of an oath given under duress. Second. The parole itself is an oath, and the furlough provides that the bearer is permitted to return to his home subject to proper respect of constituted authority in that locality. Third. Numbers of these men will refuse to take the oath at present, though denied transportation or any other privilege.

For four weary years, through unparalleled sufferings, they have followed the fortunes of the Confederate flag. With many of them their career as soldiers has been one of pride. As yet the Confederate States have not been announced defunct. If they take the oath now they will be branded by their comrades as deserters and wear that badge of shame down to an ignominious grave. They already stand impeached by the United States as traitors. Is any strategy to be employed to necessitate linking with that disrepute the crime of desertion? Do you suppose that good citizenship can be founded and built up upon a character wretched [wrecked?] by such bitter humiliation? I have no doubt but that when the events of a few weeks transpire all good men will feel it a high duty to resume allegiance to the United States. For the present I think good policy dictates that paroled men be allowed to return to their homes upon furloughs and that, in view of the fact of a general surrender of all forces east of the Mississippi, they be furnished with transportation. I trust, general, that you know

me well enough to understand that I have no motive in laying this communication before you but that which relates to the public welfare and the individual good of all.

I have the honor to be, very respectfully, your obedient servant,

H. A. M. HENDERSON,
Lieut. Col. and Assistant Agent of Exchange, C. S. Army.

ADJUTANT-GENERAL'S OFFICE, *Meridian, May 8, 1865.*

Brig. Gen. R. L. GIBSON, C. S. Army:

GENERAL: The lieutenant-general commanding desires that you will meet Brigadier-General Andrews, U. S. Army, at the train this evening and escort him and Brigadier-General Dennis, U. S. Army, to these headquarters. General Andrews is provost-marshal-general of Major-General Canby's army, and the commissioner-in-chief appointed by that officer to receive the surrender of this command; hence the propriety of your meeting him at the cars. Brigadier-General Dennis is also a commissioner, appointed by General Canby, to act with Brigadier-General Jackson, C. S. Army, in paroling the cavalry. He will no doubt go to Gainesville to-morrow. These officers will be the guests of the lieutenant-general commanding during their stay here. They will be accompanied by Colonel Bertram, another commissioner, who will be met by an officer of appropriate rank; also by officers of the several supply departments, who will be met and entertained by the chiefs of the respective bureaus from these headquarters. You will find ambulances at the cars. The train will probably arrive between 7 and 8 o'clock this evening.

I am, general, most respectfully, &c.,

W. F. BULLOCK, JR.,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 9, 1865.

Hon. E. M. STANTON, *Secretary of War, Washington:*

SIR: I inclose herewith the papers* which Mr. Speed and his associates wished to carry to Washington. I am satisfied that neither of these gentlemen intended anything wrong, nor did they suppose that by being the bearers of these papers they would be regarded as recognizing the official authority of William Smith as Governor of this State. They protest to me that their only object was to organize some unobjectionable system for preserving order in the interior.

I have arrested them and shall await your orders.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 9, 1865.

SUPERINTENDENT OF PENITENTIARY, *Columbus, Ohio:*

SIR: In pursuance of instructions received from the Secretary of War I am directed by the Commissary-General of Prisoners to request

*Not found; for order directing arrest of Speed and his associates, see Series I, Vol. XLVI, Part III, p. 1106.

that Col. Robert J. Breckinridge, of the rebel service, now under your charge, be transferred to the depot of prisoners of war at Johnson's Island, near Sandusky, Ohio, and turned over to the commanding officer of that post.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 9, 1865.

Col. J. G. PARKHURST,
Provost-Marshal-General, Nashville, Tenn.:

COLONEL: With reference to your communication of the 27th ultimo, and in the absence of the Commissary-General of Prisoners, I have the honor to inform you that prisoners of war released upon taking the oath of allegiance are allowed to go to their homes or any other place within the Federal lines, but not beyond them. The terms lines to be construed in a military sense, or in other words, the lines actually guarded by Federal forces as described by General Orders, No. 73, current series, from the War Department, copy herewith inclosed.* Troops of General Lee's command and others paroled on the same conditions must remain within the rebel lines as construed by the foregoing mentioned orders. The same conditions apply no doubt to the forces paroled by Generals Wilson and Stoneman, as it is probable they were paroled on the same terms with the forces of General Lee.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

GENERAL ORDERS, No. 27. } HEADQUARTERS DISTRICT OF INDIANA,
Indianapolis, May 9, 1865.

I. In accordance with General Court-Martial Orders, No. 214, dated War Department, Adjutant-General's Office, Washington, May 2, 1865, to-wit—

GENERAL COURT-MARTIAL ORDERS, No. 214. } WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, May 2, 1865.*

I. Before a military commission which convened at Indianapolis, Ind., October 19, 1864, pursuant to Special Orders, No. 129, dated September 17, 1864; No. 132, dated September 21, 1864; No. 142, dated October 5, 1864; No. 153, dated October 18, 1864, and No. 154, dated October 19, 1864, headquarters District of Indiana, Indianapolis, and of which Bvt. Brig. Gen. Silas Colgrove, U. S. Volunteers, is president, were arraigned and tried—

William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana.

CHARGE I: Conspiracy against the Government of the United States.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, did, among themselves, and with Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, conspire against the Government and duly constituted authorities of the United States, and did join themselves to, and secretly organize and disseminate, a secret, unlawful society or order, known as the Order of American Knights, or Order of the Sons of Liberty, having both a civil and military

*See Series I, Vol. XLVI, Part III, p. 918.

organization and jurisdiction, for the purpose of overthrowing the Government and duly constituted authorities of the United States. This, at a period of war and armed rebellion against the authorities of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy. This, on or about the 16th day of May, 1864.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, during an existing rebellion against the Government and authorities of the United States, said rebellion claiming to be in name of and on behalf of certain States, being a part of and owing allegiance to the United States, did combine and agree with one Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, to adopt and impart to others the creed or ritual of a secret, unlawful society or order, known as the Order of American Knights, or Order of the Sons of Liberty, denying the authority of the United States to coerce to submission certain rebellious citizens of said United States, designing thereby to lessen the power and prevent the increase of the armies of the United States, and thereby did recognize and sustain the right of the citizens and States then in rebellion to disregard and resist the authority of the United States. This, at a period of war and armed rebellion against the authority of the United States, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was threatened to be, invaded by the enemy. This, on or about the 22d day of February, 1864.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, owing true faith and allegiance to the Government of the United States, and while pretending to be peaceable, loyal citizens of the Government, did secretly and covertly combine, agree, and conspire among themselves, with one Harrison H. Dodd, of Indiana; Joshua F. Bullitt, of Kentucky; J. A. Barrett, of Missouri, and others, to overthrow and render powerless the Government of the United States, and did, in pursuance of said combination, agreement, and conspiracy, form and organize a certain unlawful secret society or order, and did extend, and assist in extending, said unlawful secret society or order known as the Order of American Knights, or Order of Sons of Liberty, whose intent and purpose was to cripple and render powerless the efforts of the Government of the United States in suppressing a then existing formidable rebellion against said Government. This, on or about the 1st day of October, 1863, at a period of war and armed rebellion, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was constantly threatened to be, invaded by the enemy.

Specification 4.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did conspire and agree with Harrison H. Dodd, David T. Yagel, John C. Walker, and Joshua F. Bullitt, and others, these men at that time holding military positions and rank in a certain secret unlawful society or organization known as the Order of American Knights, or Order of the Sons of Liberty, to seize by force the United States and State arsenals at Indianapolis, Ind., Columbus, Ohio, and Springfield, Ill., to release by force the rebel prisoners held by the authorities of the United States at Rock Island and Camp Douglas, Ill., Camp Morton, Ind., and Camp Chase, Ohio, and the depot of prisoners of war on Johnson's Island, and arm those prisoners with the arms thus seized; and that then said conspirators, with all the forces they were able to raise in the secret order above named, were, in conjunction with the rebel prisoners thus released and armed, to march into Kentucky and Missouri and co-operate with the rebel forces to be sent to those States by the rebel authorities against the Government and authorities of the United States. This, on or about the 20th day of July, 1864, at a period of war and rebellion against the authority of the United States, at or near the city of Chicago, Ill., a State within the lines of the Army of the United States, and the theater of military operations, and threatened by invasion of the enemy.

CHARGE II: Affording aid and comfort to rebels against the authority of the United States.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, being then members of a certain secret unlawful society or order known as the Order of American Knights, or Order of the Sons of Liberty—the United States being then in arms to suppress a rebellion in certain States against the authority of the United States—said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, Stephen Horsey, and others, then and there acting as members and officers of said secret unlawful society or order, did design and plot to communicate with the enemies of the United States, and did communicate with the enemies of the United States, with the intent that they should in large force invade the territory of the United

States, to wit, the States of Kentucky, Indiana, and Illinois, with the further intent that the so-called secret unlawful society or order aforesaid should then and there co-operate with the said armed forces of the said rebellion against the authority of the United States, and did communicate to said armed forces the intent and purposes of said secret unlawful society or order. This, at a period of war and armed rebellion against the authority of the United States, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was constantly threatened to be, invaded by the enemies of the United States. This, on or about the 16th day of May, 1864.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, while the Government was attempting by force of arms to suppress an existing rebellion, while guerrillas and other armed supporters of the rebellion were in the State of Kentucky, did send a messenger and brother member with them of a secret unlawful society or order known as the Order of American Knights, or Order of the Sons of Liberty, into said State of Kentucky, with instructions for Joshua F. Bullitt, grand commander of said secret unlawful society or order in said State, and other members of said secret society or order in said State, to select good couriers or runners, to go upon short notice, and for the purpose of assisting those in rebellion against the United States, to call to arms the members of said secret society or order, and other sympathizers with the existing rebellion, whenever a signal should be given by the authorities of said secret society or order. This, on or about the 20th day of July, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, being citizens of the State of Indiana, United States of America, and owing true allegiance to the said United States, did join themselves to a certain unlawful secret society or order known as the Order of American Knights, or Order of Sons of Liberty, designed for the overthrow of the Government of the United States, and to compel terms with the citizens or authorities of the so-called Confederate States, the same being portions of the United States, and in rebellion against the authority of the United States, and did communicate the designs and intent of said order to those in rebellion against the Government of the United States. This, on or about the 20th day of July, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE III: Inciting insurrection.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, during a time of war between the United States and armed enemies of the United States, and of rebellion against the Government, organize, and attempt to arm, and did arm, a portion of the citizens of the United States, through an unlawful secret society or order known as the Order of American Knights, or Order of Sons of Liberty, with the intent to induce them, with themselves, to throw off the authority of the United States, and co-operate with said armed enemies of the United States against the legally constituted authorities of the United States. This, on or about the 20th day of July, 1864, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, by public addresses, by secret circulars and communications, and by other means, endeavor to and did arouse sentiments of hostility to the Government of the United States, and did attempt to induce the people to revolt against said Government, and secretly organize and arm themselves for the purpose of resisting the laws of the United States and the orders of the duly elected President thereof. This, on or about the 16th day of February, 1864, at a period of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE IV: Disloyal practices.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war and

during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of and owing allegiance and military service to the United States to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparation and attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 1st day of July, 1864, at or near Shoals Station, Martin County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of and owing allegiance and military service to the United States to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparations and attempts to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 1st day of November, 1863, at or near Green Fork Township, Randolph County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 3.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of and owing allegiance and military service to the United States to disregard the authority of the United States, and to resist a call or draft designed to increase the Army of the United States, and did make preparations, and did attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society or order known as the Order of American Knights, or Order of Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 16th day of May, 1864, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 4.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, at a time of war and during an armed rebellion against the legally constituted authorities and Government of the United States, did counsel and advise citizens of and owing allegiance and military service to the United States to disregard the authority of the United States and to resist a call or draft designed to increase the Army of the United States, and did make preparation and attempt to arm, and did arm, certain citizens of the United States belonging to a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, for the purpose and with the intent of resisting said call or draft. This, on or about the 1st day of August, 1864, at or near Salem, Washington County, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

Specification 5.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did accept and hold offices of the military forces for the State of Indiana in a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, which said offices and military forces were unknown to the Constitution and laws of the United States or of the State of Indiana, and were not in aid of but opposed to the legally constituted authorities thereof. This, on or about the 16th day of February, 1864, at a time of war and armed rebellion against the authority of the United States, at or near Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, and which had been, and was constantly threatened to be, invaded by the enemy.

CHARGE V: Violation of the laws of war.

Specification 1.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey did, while the Government of the United States was carrying on war with the enemies of the United States engaged in rebellion against their authority, while pretending to be peaceable, loyal citizens of the United States, violate their allegiance, and did, as citizens

of said Government, attempt to introduce said enemies of the United States into the loyal States of said United States, thereby to overthrow and destroy the authority of the United States. This, on or about the 16th day of May, 1864, at or near the city of Indianapolis, Ind., a State within the military lines of the Army of the United States, and the theater of military operations, which had been, and was constantly threatened to be, invaded by the enemy.

Specification 2.—In this, that the said William A. Bowles, Andrew Humphreys, Horace Heffren, Lambdin P. Milligan, and Stephen Horsey, did, during a war between the United States and the said enemies of the United States engaged in rebellion against their authority, and while pretending to be peaceable, loyal citizens of the United States, organize and extend a certain unlawful secret society or order known as the Order of American Knights, or Order of the Sons of Liberty, having for its purpose the same general object and design as the said enemies of the United States, and with the intent to aid and insure the success of said enemies in their resistance to the legally constituted authorities of the United States. This, at or near the city of Indianapolis, Ind., on or about the 16th day of May, 1864.

To which charges and specifications the accused, William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, pleaded not guilty.

FINDING.

The court having maturely considered the evidence adduced, finds the accused, William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, as follows:

In the cases of William A. Bowles and Lambdin P. Milligan, citizens of the State of Indiana—

Charge I.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the charge, guilty.

Charge II.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the charge, guilty.

Charge III.

Of the first specification, guilty.
Of the second specification, guilty.
Of the charge, guilty.

Charge IV.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the fifth specification, guilty.
Of the charge, guilty.

Charge V.

Of the first specification, guilty.
Of the second specification, guilty.
Of the charge, guilty.

In the case of Stephen Horsey, of the State of Indiana—

Charge I.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the charge, guilty.

Charge II.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the charge, guilty.

Charge III.

Of the first specification, guilty.
Of the second specification, guilty.
Of the charge, guilty.

Charge IV.

Of the first specification, guilty.
Of the second specification, guilty.
Of the third specification, guilty.
Of the fourth specification, guilty.
Of the fifth specification, not guilty.
Of the charge, guilty.

Charge V.

Of the first specification, guilty.
Of the second specification, guilty.
Of the charge, guilty.

SENTENCE.

And the commission does, therefore, sentence them, William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, as follows:

In the case of William A. Bowles, citizen of the State of Indiana, to be hanged by the neck until he be dead, at such time and place as the commanding general of this district shall designate, two-thirds of the members of the commission concurring therein.

In the case of Lambdin P. Milligan, citizen of the State of Indiana, to be hanged by the neck until he be dead, at such time and place as the commanding general of this district shall designate, two-thirds of the members of the commission concurring therein.

In the case of Stephen Horsey, citizen of the State of Indiana, to be hanged by the neck until he be dead, at such time and place as the commanding general of this district shall designate, two-thirds of the members of the commission concurring therein.

II. The proceedings, findings, and sentences of the commission in the cases of William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens, were approved by the proper commanders and the records forwarded for the action of the President of the United States, who approves the sentences and directs that they be carried into execution by the commanding general of the District of Indiana, under the orders of the department commander, without delay.

By order of the Secretary of War:

W. A. NICHOLS,
Assistant Adjutant-General.

William A. Bowles, citizen of the State of Indiana, will be hanged by the neck until he be dead on Friday, the 19th day of May, 1865, between the hours of 12 m. and 3 p. m., on the parade grounds between Camp Morton and Burnside Barracks, near the city of Indianapolis, Ind. Bvt. Brig. Gen. Ambrose A. Stevens, commanding Camp Morton and Burnside Barracks, is charged with the execution of this order and will make report thereof to the commanding general.

Lambdin P. Milligan, citizen of the State of Indiana, will be hanged by the neck until he be dead on Friday, the 19th day of May, 1865, between the hours of 12 m. and 3 p. m., on the parade grounds between Camp Morton and Burnside Barracks, near the city of Indianapolis, Ind. Bvt. Brig. Gen. Ambrose A. Stevens, commanding Camp Morton and Burnside Barracks, is charged with the execution of this order and will make report thereof to the commanding general.

Stephen Horsey, citizen of the State of Indiana, will be hanged by the neck until he be dead on Friday, the 19th day of May, 1865, between the hours of 12 m. and 3 p. m., on the parade grounds between Camp Morton and Burnside Barracks, near the city of Indianapolis, Ind. Bvt. Brig. Gen. Ambrose A. Stevens, commanding Camp Morton

and Burnside Barracks, is charged with the execution of this order and will make report thereof to the commanding general.*

By command of Bvt. Maj. Gen. Alvin P. Hovey:

J. W. WALKER,
Major and Assistant Adjutant-General.

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., May 9, 1865.

Maj. Gen. N. J. T. DANA, *Vicksburg:*
(Care of Lieut. Gen. Richard Taylor, Meridian.)

You will cause all prisoners of war arriving from Ship Island to be paroled at Vicksburg and sent from there to their respective homes, with the exception of Missourians and Kentuckians, who will be retained until the War Department has decided how they shall be disposed of.

ED. R. S. CANBY,
Major-General, Commanding.

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., May 9, 1865.

Brig. Gen. GEORGE L. ANDREWS, *Meridian, Miss.:*

General Dana was instructed this morning by telegraph to parole all prisoners sent to him from Ship Island, and to forward them to their respective homes direct, except such as belong to loyal States, who are to be retained by him until further orders from the War Department. Please to give General Dana any further instructions that you may deem necessary.

P. J. OSTERHAUS,
Major-General and Chief of Staff.

GENERAL ORDERS, No. 89. } WAR DEPT., ADJT. GENERAL'S OFFICE,
Washington, May 10, 1865.

Exchange of prisoners of war.

The officers and enlisted men, prisoners of war, enumerated in General Orders, No. 37, headquarters Department of the Gulf, April 15, 1865, and therein declared exchanged, their equivalent having been delivered to the Confederate agent of exchange, Trans-Mississippi Department, April 9, 1865, at Red River Landing, La., are hereby declared duly exchanged.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

MONTREAL, *May 10, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Sanders, Tucker, and Cleary are still here. Do you wish them arrested to await demand for extradition?

B. DEVLIN.

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* By authority of the Secretary of War the proceedings of the military commission were edited by Benn Pitman, recorder to the commission, and published by Moore, Wilstach & Baldwin, Cincinnati, 1865, under the title "The Trials for Treason at Indianapolis."

WHEELING, *May 10, 1865.*

E. M. STANTON:

I wrote you on the 5th instant giving some reasons why rebel officers and soldiers should not be allowed to return into this State on parole. Allow me to add specifically that the counties composing the State of West Virginia gave over 23,000 majority against the ordinance of secession.

A. I. BOREMAN,
Governor.

WAR DEPARTMENT, *Washington City, May 10, 1865.*

Governor A. I. BOREMAN, *Wheeling, W. Va.:*

The Secretary of War directs me to say that the letter referred to in your telegram of this date has been received and that the subject is now under consideration.

WM. G. MOORE,
Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, May 10, 1865.*

General BARNES, or
OFFICER COMMANDING AT POINT LOOKOUT:

Frank B. Gurley, under sentence of death for the murder of General Robert L. McCook, was improperly sent to Point Lookout on the 22d of February for exchange. If he has not been exchanged, put him in irons and send him here. If he has been exchanged, state when.

EDWIN M. STANTON,
Secretary of War.

POINT LOOKOUT, *May 10, 1865.*

Hon. E. M. STANTON:

Frank B. Gurley was sent to Colonel Mulford on the 17th of March, with a letter calling attention to the charges against him and eighteen others, by special order from the Commissary-General of Prisoners sent by telegraphic dispatch of the 17th of March from Washington. He was received here on the 2d of March.

JAS. BARNES,
Brigadier-General.

RICHMOND, *May 11, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

R. M. T. Hunter has, in accordance with General Grant's order, been arrested and is now on a gun-boat in the James awaiting further instructions. Judge Campbell is still at his house awaiting the action of the President on his petition. If necessary, he can be confined with Mr. Hunter. He voluntarily submits himself to such punishment as the Government may see fit to impose. He is very destitute and much broken down, and his case excites much sympathy among loyal men here. This sympathy is due in part to his known hostility to Jeff. Davis for the last year or two.*

H. W. HALLECK,
Major-General.

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*For correspondence relating to Campbell and Hunter not published in this series, see Series I, Vol. XLVI, Part III.

RICHMOND, *May 11, 1865.*

Hon. E. M. STANTON:

The following note just received from Mr. Hunter is telegraphed at his request:

Major-General HALLECK:

When arrested I was making arrangements to send to Richmond to know if I could obtain the amnesty upon the conditions mentioned in the amnesty proclamation. I was willing to make every fair effort to pacificate the country if possible. I am willing to accept the facts of the case and to take the Constitution of the United States and the laws and proclamations as established by recent events. Whatever I undertake I will carry out in good faith.

R. M. T. HUNTER.

H. W. HALLECK,
Major-General, Commanding.

WAR DEPARTMENT,
Washington City, May 11, 1865—9 p. m.

Major-General HALLECK:

You will permit Judge Campbell to remain in his house until the President acts upon his application. A strong impression exists that Judge Campbell's conduct after the capture of Richmond was not fair or candid; that he misrepresented what passed between him and the late President, and labored as far as he dared to keep the rebellion alive. This impression is very strong in the North. I will present Mr. Hunter's telegram to the President and report the result to you.

EDWIN M. STANTON,
Secretary of War.

[MAY 11, 1865.—For reports and correspondence relating to arrest, &c., of Alexander H. Stephens not published in this series, see Series I, Vol. XLIX.]

WASHINGTON, *May 11, 1865.*

Major-General HALLECK:

Judge-Advocate-General Holt desires to have proof of the fact, which you remember was alleged some months ago, and which I see has been frankly admitted, that the Libby Prison in which our prisoners were confined was mined at about the time of Kilpatrick's raid for the purpose of blowing up our prisoners. The Judge-Advocate-General desires that you will have the fact fully ascertained and verified by witnesses, and that you will send here the witnesses by whom it can be proved. You will please do so.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, May 11, 1865.

Maj. Gen. E. R. S. CANBY, *Mobile, Ala.:*

Your dispatch of the 9th via Meridian is received. All the prisoners from Ship Island had previously been turned over to the Confederate agent of exchange, on parole in lieu of prisoners delivered by him.

I am, sir, very respectfully,

N. J. T. DANA,
Major-General.

HDQRS. ARMY AND DIVISION OF WEST MISSISSIPPI,
Mobile, Ala., May 11, 1865.

Brig. Gen. T. KILBY SMITH,
Commanding District of South Alabama, Fort Gaines, Ala.:

SIR: The major-general commanding directs that all officers and men now held as prisoners of war within the limits of your command be released on special parole, in accordance with the stipulations of the surrender of Lieut. Gen. Richard Taylor and his army. All paroled prisoners are at liberty to return to their homes, except General Cockrell, and such others as belong to loyal States (including Kentucky and Missouri), who are required to remain within the lines of the military division until the pleasure of the War Department in regard to them has been communicated. Forms of blanks are transmitted, herewith inclosed.

Very respectfully, your obedient servant,
C. T. CHRISTENSEN,
Lieutenant-Colonel and Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, May 11, 1865.*

Hon. B. DEVLIN, *Montreal, Canada:*

The Government is taking measures upon the subject of your telegram of yesterday, of which you will be advised when action is required.

EDWIN M. STANTON,
Secretary of War.

OFFICE OHIO PENITENTIARY,
Columbus, Ohio, May 12, 1865.

Capt. W. T. HARTZ,
Assistant Adjutant-General, Washington, D. C.:

CAPTAIN: I have the honor to acknowledge the receipt of your letter of the 9th instant relating to the transfer of Col. R. J. Breckinridge, of the rebel service, from this prison to the depot of prisoners of war at Johnson's Island, near Sandusky, Ohio, and to inform you that, pursuant to special orders from Bvt. Brig. Gen. William P. Richardson, commanding post, Camp Chase, Ohio, the prisoner, Colonel Breckinridge, was transferred to Johnson's Island, May 8, 1865.

I am, captain, very respectfully, your obedient servant,
JOHN G. PRENTICE,
Warden.

TALLAHASSEE, FLA., *May 12, 1865.*

General E. M. MCCOOK, *Commanding, &c., Tallahassee, Fla.:*

GENERAL: From the fact, doubtless, that General Wilson has confounded the officer (myself) commanding the post at Andersonville and the officer (Captain Wirz) commanding the prison at that post, my parole was delivered at Albany. I write this at your suggestion, and I have to-day reported to you in person, as per my verbal parole given you in Albany, Ga. Directly, I have never had anything to do with the prisons. I rode through the stockade almost every day (less about seventy days sick leave out of seven months command), and though the prisoners then had ample opportunity there to complain of ill-treatment,

no complaint was ever made to me. Though I was powerless to redress grievances, yet I could and would have represented their cases to higher authority. In paroling for exchange (by order) at Baldwin, Fla., 3,400 prisoners, the whole line as I passed it gave expression to the kindest feeling toward myself. In everything which officially I have done in this connection I have acted by order. My personal intercourse with every prisoner, and I refer especially to general and field officers, has been, and I am so assured by them, of the most agreeable character. So far as General Wilson's or your power to arrest me is concerned I freely admit it. So far as his or your right is concerned I totally deny it. I am a colonel, or was, in the army of the Confederate States. General Johnston's surrender necessitated mine, and I respectfully claim as a right, not as a favor, the customary parole. In this connection permit me to call your attention to the closing paragraphs of the convention between Generals Sherman and Johnston. You will perceive I carefully avoid any claim to the consideration of your generosity on the ground of my being a prisoner of war, and claim only what I think you acknowledge to be my right as such prisoner. I take it for granted you are fully apprised as to the difference in the duties between the commandant of a prison post and the commandant of a prison. I have already told you my position in the State as a citizen. It is for you now on this representation to act. I have also named to you citizens and officials who will confirm all I have in conversation told you.

Very respectfully, your obedient servant,

GEO. C. GIBBS,
Late a Colonel of Provisional Army, C. S.

P. S.—Wirz commands by order of the Secretary of War.

[Indorsement.]

HEADQUARTERS FIRST DIVISION,
Tallahassee, May 18, 1865.

Respectfully forwarded. A similar communication was sent to corps headquarters from Albany, I think. I will retain Colonel Gibbs as prisoner and send him to Macon unless the general commanding orders otherwise, although I think he is the wrong man, and Captain Wirz (that you have already) the guilty party. If you desire him paroled and released, please notify me at an early day, as he lives below here, and it will be a long way to send him as prisoner unless he is retained.*

E. M. McCOOK,
Brigadier-General.

[MAY 12–22, 1865.—For reports and correspondence relating to Clement C. Clay not published in this series, see Series I, Vol. XLIX, Parts I and II.]

RICHMOND, VA., *May 13, 1865.*

Hon. E. M. STANTON, *Washington:*

I do not think that Judge Campbell intentionally misrepresented his conversation with President Lincoln. Military officers here derived the same impression. There was probably some misunderstanding,

* See also McCook to Beaumont, May 21, Series I, Vol. XLIX, Part II, p. 861.

but I believe it was an innocent one. Judge Campbell, General Weitzel, and others seem much mortified that they should have so greatly mistaken the President's wishes as expressed in his conversations.

H. W. HALLECK,
Major-General, Commanding.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
May 13, 1865.

The SECRETARY OF WAR:

Corpl. M. J. Adams, Sixty-third Pennsylvania Volunteers and 253 others, belonging to various regiments, were captured by the First Brigade of General Grierson's cavalry, at Egypt Station, Miss., December 28, 1864. They were at the time serving in the Tenth Tennessee rebel regiment. Lieutenant-Colonel Yorke, Second New Jersey Cavalry, reports that the greater part of these men were on the rebel skirmish line, and when our forces came within range they opened a heavy fire, killing 3 officers and 20 men and wounding 74 others; that he then made a charge, when they threw down their arms and surrendered. Immediately after their capture they alleged that they had been prisoners of war at Andersonville and joined the rebel service to escape death from starvation and disease. They generally claimed to have done so with the intention of making their way to our lines as soon as possible, and state that they had been kept under strict guard and were not furnished arms and ammunition until the night before the engagement, and that they surrendered as soon as an opportunity occurred. Even if this were true, it would not justify their conduct, and it is believed that the Government cannot consistently recognize the propriety of prisoners escaping from the enemy by such means, and cannot place confidence in men who, even for the purpose of escaping the horrors of Southern prisons, were willing to enter the ranks of the rebel army. But the circumstances of the action in which they were captured do not justify the belief that any considerable portion of these men had any desire or intention to rejoin our forces. Being placed upon the skirmish line, they could readily have made an opportunity to pass over without suspicion on the part of the enemy; and, if prevented from so doing by their position in the line, could have fired so as to do no damage to our troops. The deadly precision of their fire shows that they intended to repel our forces, if possible. The opinion of General Hoffman is concurred in, that they are not entitled to any clemency. As to their present status, it may be remarked that they should no longer be regarded as prisoners of war, but should be held and tried as deserters. It appears by the remarks upon the rolls that six of these men came into our lines during the night preceding the engagement and gave valuable information. It is submitted whether or not they may not properly be restored to their regiments, with forfeiture of all pay due at the time of their capture, in consideration of the valuable services rendered.

A. A. HOSMER,
Major and Judge-Advocate (in absence of Judge-Advocate-General).

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, May 13, 1865.

COMMISSARY-GENERAL OF PRISONERS, *Washington, D. C.:*

I have the honor to report that the total number of men, paroled prisoners of war, delivered at this place by Lieut. Col. H. A. M. Hen-

derson, agent of exchange, C. S. Army, up to the 1st day of May, is 5,135, all of which have been forwarded to Benton Barracks, Mo., or Camp Chase, Ohio. The number of names appearing on the rolls forwarded is slightly in excess of the above number, owing to the men having given wrong names when they crossed Big Black River, or their being misspelled or duplicated, and to the fact of some desertions.

I am, sir, very respectfully,

N. J. T. DANA,
Major-General.

CAMP PAROLE, *Annapolis, Md., May 13, 1865.*

Capt. J. H. WEEKS,
Acting Assistant Adjutant-General, District of Annapolis:

SIR: Pursuant to instructions this day received from Col. F. D. Sewall, commanding District of Annapolis, I have the honor to report that on the 28th of April, 1865, having been a prisoner of war in the hands of the rebels, I was released at Lake City, Fla., together with 1,819 men of U. S. troops, who had also been prisoners. Upon application to the so-called Confederate authorities I obtained transportation from Lake City to Baldwin, Fla., a distance of thirty miles, for myself and men. I then marched the men nine miles to the rebel lines, and, passing through them, marched eleven miles to the lines of the U. S. army, at Jacksonville, Fla. There were in addition to the above, 12 officers and about 1,500 enlisted men released at Lake City on the same day, and, as I am informed, under the same circumstances. On my arrival at Jacksonville I reported the whole number of officers and men released by the rebels to Brevet Brigadier-General Tilghman, commanding post at Jacksonville, Fla. None of the officers or men released were turned over to any U. S. officer. At different times from four weeks to three days before they were released these officers and men had signed their names to a descriptive list of prisoners of war, which was afterward headed a parole; but nearly all, if not all, had for three weeks after they had signed such a list been held under guard and had been sent to the interior of the so-called Confederacy on the approach of the Union forces, to which the rebel authorities had promised they should be turned over.

I have the honor to be, sir, very respectfully, your obedient servant,

N. CUTLER,
Major, Second Maine Cavalry Veteran Volunteers.

WAR DEPARTMENT,
Washington City, May 11, 1865—12.55 p. m.

Reverend Doctor BRECKINRIDGE, *Danville, Ky.:*

Your note of the 6th instant, with your son's application and letter, were received three days ago and submitted to the President. He directs that your son be released with permission to return home upon taking the oath of allegiance, which will not confer upon him any of the benefits of the amnesty. To secure these he must make application for a special pardon. The order will issue immediately, in accordance with the President's directions.

EDWIN M. STANTON,
Secretary of War.

P. S.—Jeff. Davis was caught three days ago in Georgia trying to escape in his wife's clothes.

EDWIN M. STANTON.

HEADQUARTERS DEPARTMENT OF MISSISSIPPI,
Vicksburg, Miss., May 14, 1865.

Brig. Gen. G. L. ANDREWS,
Provost-Marshal-General, Meridian:

(Care Brigadier-General Tucker, C. S. Army, Jackson.)

The officers and men sent here from Ship Island were understood to be as an offset for the men delivered to us on parole by the Confederates, the Confederate commissioner of exchange having received official notice from General Grant, and it is also understood from General Canby, that any men in our hands due them should be delivered here. They were all paroled on the rolls in these words:

The officer signing this parole does so in behalf of all the men above his signature, and all described on this roll are not to perform any military or constabulary duty until regularly exchanged.

It was agreed that these men could return to their homes and that they should not be disturbed so long as they obeyed the local laws and observed their parole. The papers they have are furloughs, given them by Colonel Watts, agent of exchange, C. S. Army.

Full rolls are in the hands of Captain Sterling. The Confederate agents of exchange also have a copy, and another is retained here.

Very respectfully,

N. J. T. DANA,
Major-General.

MAY 15, 1865.

The persons whose names are appended to this respectfully solicit that they may be released from the military prison at Fort Delaware on taking the oath of allegiance to the Government of the United States. Many of them have been in confinement since the battle of Gettysburg. Many are crippled for life. All have either wives or children or mothers and sisters dependent upon them, and all will take the oath from a sense of duty and an earnest determination to fulfill its obligations in the strictest sense.

H. COFFEY,
Lieutenant, Company I, First Texas Legion.
JOHN HUMPHRYS,
Captain, Fiftieth Virginia Infantry.
[And forty-seven others.]

[Indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, May 18, 1865.

Respectfully referred to the Secretary of War with recommendation that the within-named prisoners be released at once and transportation ordered to their States.

I hope early means may be devised for clearing our prisons as far as possible. I would recommend that all who come within the amnesty proclamation be allowed the benefit of it. By going now they may still raise something for their subsistence for the coming year and prevent suffering next winter. Prisoners living west of the Mississippi, those from States which never passed the ordinance of secession, and those from the District of Columbia, might be made an exception for the present.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, May 16, 1865.

Hon. E. M. STANTON, *Washington:*

SIR: In compliance with your instructions received by telegraph I have the honor to report that I communicated to Mr. Foote on the 10th instant the President's decision in regard to him, and notified him that if he did not leave the United States he would be dealt with for treason, &c., within forty-eight hours. Mr. Foote signified his assent to the requirement, and it is understood that he left the United States within the time prescribed.

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

[MAY 16, 1865.—For Wilson to Adjutant-General U. S. Army, reporting the arrest of Henry Wirz, see Series I, Vol. XLIX, Part II, p. 800.]

HEADQUARTERS DISTRICT OF SAINT MARY'S,
Point Lookout, Md., May 16, 1865.

Brigadier-General HOFFMAN,
Commissary-General of Prisoners:

GENERAL: I beg leave to invite your attention to the patients in the prison camp hospital. There are in this hospital 1,859 men, including the attendants, belonging to the following States, viz: Maryland, 6; Virginia, 391; North Carolina, 521; South Carolina, 184; Georgia, 233; Florida, 25; Alabama, 154; Louisiana, 20; Mississippi, 216; Arkansas, 19; Tennessee, 60; Kentucky, 1; Missouri, 7; Texas, 22; numbering in all as above, 1,859. Some 1,600 of them could be sent home with proper means of conveyance, say, by steamer, to the most advisable ports. The oath of allegiance could be administered to them all, for they all are ready to take it and would be glad to be sent home. Many are disabled by loss of limbs and otherwise by wounds and the expense of taking care of them here is considerable. You will be able to judge of the places to which they might be sent by the statement above of the States to which they belong. These steamers would take them, say to Wilmington, Savannah, and Mobile. There would remain between 200 and 300 not in condition to be furloughed for the present. Will you please ask the consideration of the Secretary of War to this subject?

Very respectfully, your obedient servant.

JAMES BARNES,
Brigadier-General, Commanding.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 18, 1865.

Respectfully submitted to the Secretary of War.

Approved. The transportation of the men to their homes would soon be balanced by the expense of keeping them in hospital.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[Second indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
May 29, 1865.

Respectfully forwarded to the Secretary of War.
Recommended.

U. S. GRANT,
Lieutenant-General.

[Third indorsement.]

Approved.

E. M. STANTON,
Secretary of War.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., May 16, 1865.

Capt. C. H. DYER,
Asst. Adjt. Gen., Military Division of West Mississippi:

SIR: At my last interview with Major Szymanski, agent of exchange, Trans-Mississippi Department, C. S. Army, he requested me to furnish him a list of all Louisiana prisoners of war confined in Northern stations, for the purpose of distributing the money among them realized by sale of cotton brought to this city by flag-of-truce boat, April 10, 1865, and sold here under the agency of Mr. Noblom. I would therefore most respectfully request that the Commissary-General of Prisoners may be requested to forward a list of the above-mentioned prisoners to this department.

I would also respectfully state that my next interview with Major Szymanski will take place on the 25th instant.

I am, sir, very respectfully, your obedient servant,

WM. H. STERLING,
Captain, First U. S. Infantry, Agent of Exchange,
Military Division of West Mississippi.

[MAY 18, 1865.—For Grant to Stanton, in regard to paroled Confederates returning to State of Missouri, &c., see Series I, Vol. XLIX, Part II, p. 827.]

FORT MONROE, *May 19, 1865.*

ADJUTANT-GENERAL:

SIR: I have the honor to report that I have just arrived at this point on board the steamer Clyde, in charge of a party of prisoners from Macon, Ga., consisting of Jeff. Davis and family, Alexander H. Stephens, C. C. Clay and wife, Major-General Wheeler and staff, Postmaster-General Reagan, Colonel Johnston and Colonel Lubbock, aides-de-camp to Davis, and Harrison, his private secretary, besides several other unimportant names. The Clyde is under the convoy of the steam sloop-of-war Tuscarora. We will depart for Washington at once.

I am, sir, very respectfully, your obedient servant,

B. D. PRITCHARD,
Lieutenant-Colonel Fourth Michigan Cavalry.

WAR DEPARTMENT,
Washington City, May 19, 1865—8.50 p. m.

Lieutenant-Colonel PRITCHARD,
Steamer Clyde, Hampton Roads:

You will retain your prisoners in safe custody until the arrival of Major-General Halleck, who will reach Fortress Monroe to-morrow at 12 o'clock with further instructions. Please acknowledge the receipt of this telegram.

EDWIN M. STANTON,
Secretary of War.

ON BOARD STEAMER CLYDE,
Off Fort Monroe, May 19, 1865—10.40 p. m.
(Received 11.40 p. m.)

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to acknowledge the receipt of yours of 8.50 p. m., and in reply would say that I hold the prisoners in question in close custody on board this steamer, awaiting the further pleasure of the War Department.

I am, sir, very truly, your obedient servant.

B. D. PRITCHARD,
Lieutenant-Colonel Fourth Michigan Cavalry.

WAR DEPARTMENT,
Washington City, May 19, 1865—3.35 p. m.

Major-General HALLECK, *Richmond:*

You will please proceed immediately to Fortress Monroe and take charge of Jeff. Davis and the prisoners that have come by the Clyde. Instructions will be forwarded you there. Please advise me when you start and what hour you will reach there.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, May 19, 1865—3.40 p. m.

Major-General HALLECK, *Richmond:*

You will please proceed to Fortress Monroe immediately and take charge of Jefferson Davis and the other prisoners on the steamer Clyde. You will imprison Davis and Clay securely in Fortress Monroe, detailing Colonel Pritchard and his force as special guards until further order. Send Stephens and Reagan to Fort Warren by sea in a gun-boat that will be furnished by the Navy Department. Send Wheeler and staff, Colonel Lubbock and Colonel Johnston, Davis' aides, to Fort Delaware, also in a gun-boat to be furnished by the Navy Department. Send Harrison, secretary of Davis, to Washington, and the remainder of male prisoners to Fort McHenry, in the Clyde, under convoy. The women and children, constituting the family of Davis, and Mrs. Clay, are not prisoners, and you will send them, and any other females in the company, to such place or places in the South where we have transports going as they may elect. Do not permit them to come North or remain at Fort Monroe or Norfolk. You will take measures to prevent any one

from visiting or holding communication with Davis or Clay verbally or in writing and establish such rules and orders as will secure the prisoners. Place sufficient force at Fortress Monroe to secure against surprise, attack, or any effort at rescue or escape.

E. M. STANTON,
Secretary of War.

RICHMOND, VA., *May 19, 1865.* (Received 8.20 p. m.)

Hon. E. M. STANTON:

Orders about Fort Monroe received too late to pass obstructions to-night. Will start at daylight to-morrow morning and reach Fort Monroe by 12 m.

H. W. HALLECK,
Major-General, Commanding.

RICHMOND, VA., *May 19, 1865.*

Hon. E. M. STANTON, *Washington:*

An officer will be immediately sent to Washington with report on the mining of Libby Prison and two witnesses to prove it.

H. W. HALLECK,
Major-General, Commanding.

[MAY 19, 1865.—For correspondence relative to the assignment of Brevet Major-General Miles with headquarters at Fort Monroe, see Series I, Vol. XLVI, Part III, pp. 1174, 1175.]

SPECIAL ORDERS, No. 243.

HEADQUARTERS OF THE ARMY, ADJUTANT-GENERAL'S OFFICE, *Washington, May 19, 1865.*

* * * * * * *

7. Bvt. Maj. Gen. N. A. Miles, U. S. Volunteers, is hereby relieved from duty in the Army of the Potomac, and will immediately proceed to Fort Monroe, and from there report by telegraph to and await orders from Maj. Gen. H. W. Halleck, commanding Military Division of the James. He has permission to take with him the following-named officers, serving on his staff while commanding First Division, Second Army Corps: Maj. N. Church, Twenty-sixth Michigan Volunteers; Capt. J. D. Black, One hundred and forty-fifth Pennsylvania Volunteers.

By command of Lieutenant-General Grant:

E. D. TOWNSEND,
Assistant Adjutant-General.

[MAY 19, 1865.—For orders directing arrest of Howell Cobb and Robert Toombs, and resulting correspondence, see Series I, Vol. XLIX, Part II.]

[MAY 19, 1865.—For Grant to Stanton, in regard to the arrest of Governor Brown, of Georgia, see Series I, Vol. XLIX, Part II, p. 836.]

C. S. FLAG-OF-TRUCE STEAMER B. L. HODGE,
Red River Landing, La., May 19, 1865.

Capt. WILLIAM H. STERLING,
Agent of Exchange, Military Division of West Mississippi:

CAPTAIN: I have the honor to acknowledge the receipt of yours of the 16th of May informing me that you have ready nearly 500 men to turn over at our next interview, to take place on the 25th instant. In reply I take pleasure to inform you that, in accordance with Major-General Canby's demand and your request, I will bring to our next interview the total number of Federal prisoners under my charge, about 1,800 officers and men. I may possibly be delayed a day or two beyond the appointed time, in consequence of having made an extra trip with the commissioners of General Grant to this department, and I respectfully request that you provide ample transportation for this unusually large number of U. S. prisoners, which I will have the satisfaction to restore to their colors and firesides.

I forward to your address a number of letters for persons within your lines, and hoping to meet you at the usual rendezvous at the appointed time,

I am, very respectfully, your obedient servant,
IG. SZYMANSKI,
Assistant Adjutant-General and Agent of Exchange.

[MAY 20, 1865.—For Stanton to Grant, in regard to arrest of Governor Brown, of Georgia, see Series I, Vol. XLIX, Part II, p. 847.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 20, 1865.

Col. CHARLES W. HILL, *Commanding Johnson's Island, Ohio:*

COLONEL: I have the honor to request, by direction of the Commissary-General of Prisoners, that Brig. Gen. William H. Young, a prisoner of war at Johnson's Island, may be informed that under the rules of the War Department his application for a parole cannot be favorably considered.

I am, colonel, very respectfully, your obedient servant,
G. BLAGDEN,
Major, Second Mass. Cav., Asst. to Com. Gen. of Prisoners.

FORT MONROE, *May 20, 1865—2.30 p. m.*
(Received 2.40 p. m.)

Hon. E. M. STANTON, *Secretary of War:*

Arrived at 1 o'clock. Prisons will not be ready before Monday.
H. W. HALLECK,
Major-General.

WAR DEPARTMENT,
Washington City, May 20, 1865—4.37 p. m.

Major-General HALLECK, *Fortress Monroe:*

Your telegram received. The Navy Department will instruct Commodore Radford to furnish gun-boats as convoy for the prisoners ordered

to Forts Warren, Delaware, and McHenry. General Miles is on the road to report to you. You will send Mrs. Davis and her family South and not allow them to come to Washington, as she proposes to do.

EDWIN M. STANTON,
Secretary of War.

FORT MONROE, *May 20, 1865—8.15 p. m.*
(Received 11 p. m.)

Hon. E. M. STANTON:

I would suggest that the Quartermaster-General send a transport here to take the women and children to some Southern port, or that the Clyde be used for that purpose, and the prisoners for Fort McHenry be sent there in a gun-boat. There is no army transport here, and I have no suitable place for the women and children when the Clyde leaves for Baltimore. Perhaps a Government steamer from New York, bound to Hilton Head or New Orleans, could call for them.

H. W. HALLECK,
Major-General, Commanding.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Fort Monroe, May 20, 1865.

Colonel PRITCHARD, *Steamer Clyde:*

COLONEL: You will deliver to-morrow morning at 6 o'clock to Commander Parker, of the Maumee, General Wheeler and staff, and Colonels Lubbock and Johnston, prisoners in your charge, he receipting to you for the same. At 10 a. m. to-morrow you will deliver to Commander Frailey, of the Tuscarora, Messrs. Stephens and Reagan. Commander Frailey will receipt to you for them. The admiral will send boats or tugs at the hours mentioned to receive the prisoners.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General, Commanding.

WASHINGTON, *May 21, 1865—8 a. m.*

General HALLECK, *Fortress Monroe:*

Evidence found in the records of the rebel War Department reassures that John A. Campbell should be placed under strict confinement in the Libby Prison, or some other secure prison, immediately.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, May 21, 1865—10.30 a. m.

Major-General HALLECK, *Fortress Monroe:*

The women and children may be sent back in the steamer Clyde. The navy can take charge of the prisoners that were to be taken by the Clyde. Permit no communication by any of the party with persons outside.

EDWIN M. STANTON,
Secretary of War.

[MAY 21, 1865.—For orders assigning Brevet Major-General Miles to the command of the Military District of Fort Monroe, see Series I, Vol. XLVI, Part III, pp. 1191, 1192.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 21, 1865.

Brigadier-General TILGHMAN, *Commanding, Jacksonville, Fla.:*

GENERAL: By a report of Maj. N. Cutler, Second Maine Cavalry, just arrived at Camp Parole, Annapolis, Md., it appears that about the 2d instant some 3,000 paroled prisoners arrived at Jacksonville, Fla., and from there were forwarded to Annapolis, Md. I have no report of this matter except the one of Major Cutler, and I have therefore respectfully to request that you will give me such particulars to their being paroled as you may have, together with a list of any who may have been retained at Jacksonville in consequence of being too unwell to endure their journey. If there are any such the Secretary of War directs that a proper care should be taken of them until their health is restored sufficiently to return to their homes, when they will be forwarded to Annapolis, Md.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HDQRS. U. S. FORCES, JOHNSON'S ISLAND AND SANDUSKY,
Johnson's Island, Ohio, May 21, 1865.

Bvt. Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to ask instructions as to the disposition of a manuscript of twelve pages sent to me from the prison last February with the request that I would forward it to Louisville, Ky., with a view to its publication. It was from the Masonic Association in the prison, acknowledging their obligations to the Masonic fraternity in the loyal States for pecuniary aid and assistance to needy prisoners, and giving several cases showing from the experience of the late struggle the advantages of Masonry on the battle-field, as well as in the domestic circle. Like many other papers sent out from the prison, it was laid aside on account of length and as not on private affairs. Circumstances have so changed that I think its transmittal no longer objectionable, and as it is much desired by many who have now taken the amnesty oath, I ask leave to forward it as the author's wish.

I have the honor to be, general, very respectfully, your obedient servant,

CHAS. W. HILL,
Colonel, Commanding.

FORT MONROE, *May 22, 1865—2 p. m.*

Hon. E. M. STANTON, *Washington:*

The two prisoners have just been placed in their respective casemates. The sentries are stationed both within and without their doors. The bars and locks are fastened, and the regular routine of their imprisonment has begun. At precisely 1 o'clock General Miles left with a tug and a guard from the garrison to go for Davis and Clay. At 1.30 the tug left the Clyde for the fort. She landed at the engineer wharf and the procession, led by the cavalrymen of Colonel Pritchard's command, moved through the water battery on the east front of the fortress and entered by a postern leading from that battery. The cavalrymen were followed by General Miles, holding Davis by the right arm. Next came

half a dozen soldiers, and then Colonel Pritchard with Clay, and last the guard which Miles took out with him. The arrangements were excellent and successful, and not a single curious spectator was anywhere in sight. Davis bore himself with a haughty attitude. His face was somewhat flushed, but his features were composed and his step firm. In Clay's manner there was less expression of bravado and dramatic determination. Both were dressed in gray, with drab slouched hats. Davis wore a thin dark overcoat. His hair and beard are not so gray as has been represented, and he seems very much less worn and broken by anxiety and labor than Mr. Blair reported when he returned from Richmond last winter.

The parties were not informed that they were to be removed to the fortress until General Miles went on board the Clyde, but they had before learned generally what was their destination. From his staff officers Davis parted yesterday, shedding tears at the separation. The same scene has just been renewed at his parting from Harrison, his private secretary, who left at 1 o'clock for Washington. In leaving his wife and children he exhibited no great emotion, though he was violently affected. He told her she would be allowed to see him in the course of the day. Clay took leave of his wife in private, and he was not seen by the officers. Both asked to see General Halleck, but he will not see them.

The arrangements for the security of the prisoners seem to me as complete as could be desired. Each one occupies the inner room of a casemate. The window is heavily barred. A sentry stands within before each of the doors leading into the outer room. These doors are to be grated, but are now secured by bars fastened on the outside. Two other sentries stand outside of these doors. An officer is also constantly on duty in the outer room, whose duty is to see his prisoners every fifteen minutes. The outer door of all is locked on the outside, and the key is kept exclusively by the general officer of the guard. Two sentries are also stationed without that door. A strong line of sentries cuts off all access to the vicinity of the casemates. Another line is stationed on the top of the parapet overhead, and a third line is posted across the moats on the counterscarp opposite the places of confinement.

The casemates on each side and between those occupied by the prisoners are used as guard-rooms, and soldiers are always there. A lamp is constantly kept burning in each of the rooms. The furniture of each prisoner is a hospital bed with iron bedstead, a chair, a table, and a movable stool closet. A Bible is allowed to each. I have not given orders to have them placed in irons, as General Halleck seemed opposed to it, but General Miles is instructed to have fetters ready if he thinks them necessary. The prisoners are to be supplied with soldiers' rations, cooked by the guard. Their linen will be issued to them in the same way. I shall be back to-morrow morning.

C. A. DANA.

FORT MONROE, *May 22, 1865.*

Brevet Major-General MILES, *Commanding, &c.:*

REGULATIONS.

1. The prisoners will not be permitted to leave the rear rooms of the casemates. A sentinel will be kept within the rear rooms at each door; also two sentinels and a commissioned officer in each front room. Two sentinels will also be posted outside of each front door.

2. Under no circumstances will the front door be opened unless the middle doors are fastened; and the commissioned officer on guard will always be at the front door when it is opened.

3. At night a light will be kept burning in each room, so that the guards will always keep the prisoners in view. The officer on guard will see his prisoner every fifteen minutes.

4. Sentinels will be stationed on the counterscarp opposite the prisoners' rooms, directed to watch the embrasures and to prevent the approach of any person on that side, and a line of sentinels will be placed on the opposite side of the road in front. A guard will also be placed in the vacant casemates on each side of those occupied by the prisoners and sentinels on the top of the casemates.

5. No person will be permitted to communicate with the prisoners verbally or in writing. No sentinel will be permitted to speak to them or to answer any questions. Any wants they may express will be attended to by the officer on guard in the room or communicated to the officer in general charge; but the officer in the prison will under no circumstances leave it during his tour of duty. In case of sickness, the surgeon's visits will be accompanied by the field officer in charge.

6. The meals of the prisoners will be furnished from the kitchen of the guards and passed in by the officer on guard, but no servant or waiter will be permitted to enter the prison rooms. No person not on duty will be permitted to approach the prison on either side, nor will any visitors be permitted to enter the fort without a pass from the commanding officer or superior authority.

7. The commanding general of the district is authorized to take any additional precautions he may deem necessary for the security of his prisoners.

H. W. HALLECK,
Major-General, Commanding.

FORT MONROE, *May 22, 1865.*

Brevet Major-General Miles is hereby authorized and directed to place manacles and fetters upon the hands and feet of Jefferson Davis and Clement C. Clay whenever he may think it advisable in order to render their imprisonment more secure.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

FORT MONROE, *May 22, 1865.*

Brevet Major-General MILES, *Commanding, &c.:*

GENERAL: At 1 p. m. you will proceed to bring Messrs. Davis and Clay from the Clyde to the engineer wharf; thence through the battery to their prisons in the fort. The detachment of Maine troops will remain on the Clyde in charge of the persons left on board. The remainder of Colonel Pritchard's command will accompany the prisoners ashore. After the prisoners are placed in their rooms, all their necessary linen and clothing will be brought ashore and placed under your charge, to be issued only as required. Such servants on the Clyde as do not wish to return South will to-morrow, after being thoroughly searched and all papers secured, be sent to Norfolk and discharged. As soon as the Clyde can be loaded and supplied she will be sent with

the women, children, and servants who may desire to go South to Savannah, Ga. Also such paroled prisoners as the vessel can conveniently carry who may desire to go to that place. The detachment of Maine troops after reaching Savannah will rejoin their regiment. The remainder of Colonel Pritchard's detachment will remain under your command till further orders. No one will be permitted to communicate with the passengers of the Clyde after the prisoners leave until the vessel sails, and the baggage, rooms, beds, and persons of the passengers who remain will be thoroughly searched and all papers retained. After the Clyde leaves here the ladies and children will be under no restraint, and on reaching Savannah will be left at perfect liberty. On the voyage the ranking military officer will employ his guards so as to preserve good order on board.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General, Commanding.

FORT MONROE, *May 22, 1865.*

Admiral RADFORD, *Flag-ship Malvern:*

ADMIRAL: Will you please send a gun-boat with Mr. Harrison, secretary of Jeff. Davis, to Washington, to be delivered to the keeper of the Old Capitol Prison. If convenient, please have him removed from the Clyde as soon after 1 p. m. as possible. Inclosed is the order on Colonel Pritchard.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General.

[Inclosure.]

FORT MONROE, *May 22, 1865.*

Colonel PRITCHARD, *Steamer Clyde:*

COLONEL: Please deliver to such officer as may be sent by Admiral Radford, Mr. Harrison, the secretary of Jeff. Davis.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Fort Monroe, May 22, 1865.

Colonel PRITCHARD, *Steamer Clyde:*

COLONEL: Please deliver to Lieutenant-Commander Reed, of the Pawtuxet, all your prisoners except Mr. Davis and Mr. Clay and Mr. Harrison. The women, children, and servants are not regarded as prisoners, but will remain on board till further orders.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General, Commanding.

WAR DEPARTMENT,
Washington City, May 22, 1865—9.30 p. m.

Major-General ORD, *Richmond:*

Immediately upon receipt of this arrest James A. Seddon, late rebel Secretary of War, and confine him securely in Libby Prison. Also

arrest and imprison Professor McCulloh, who is now, or recently was, in Richmond. Please spare no effort in the diligent execution of this order and regard it as strictly confidential.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Fort Monroe, May 22, 1865.

General E. O. C. ORD, *Richmond:*

The Secretary of War directs that John A. Campbell be immediately arrested and placed under confinement in the Libby or some other secure prison. Do this at once.

H. W. HALLECK,
Major-General.

[MAY 22, 1865.—For Canby's General Orders, No. 55, in relation to the Canby–Taylor terms of surrender in their application to officers and men not already paroled, &c., see Series I, Vol. XLVIII, Part II, p. 533.]

MILITARY PRISON, *Johnson's Island, May 22, 1865.*

Col. J. H. TAYLOR:

DEAR SIR: When I was first arrested as a prisoner and brought to Fairfax, General Gamble, to whom I explained its injustice, informed me that he had no orders from General Augur about voluntary surrenders, but would send me to General Augur for an interview with him. I was carried there and mobbed at the office, but had no interview. Colonel Ingraham told me to address an explanation to you, and I did so from Old Capitol. I have never heard from it nor obtained my release, and am now here a prisoner for the past six weeks. I fear my paper may have miscarried and I renew my application for parole. On the 12th of April I was in a place of perfect security. On the 13th General Hancock's order inviting all officers not present at Lee's surrender to come in and give their paroles reached me. Believing this order to be in good faith and not a decoy, I came from my concealment and proceeded toward your nearest outpost. On account of suffering from a new wound I was compelled to stop on the road on night of 14th, but immediately gave my aide (Lieut. Col. C. N. Digges) orders to go on in the morning with his parole and mine and explain how it was I was behind. That night I was arrested in bed, I may say, and I and my aide held ever since. The officer making the arrest, General Gamble, and Colonel Ingraham have all been notified of these facts, and I finally wrote to General Hancock. He promptly replied that he would make application for my release on parole to Secretary of War as soon as practicable. Nearly three weeks have elapsed and I fear General Hancock has either left the city or forgotten it. Moreover, as my arrest was made in your department, I presume I should properly address you. I know not whether a different report has been made to you, but mine is true, so help me God, as I can prove to your satisfaction. I appeal to you for justice, colonel. I do not seek to escape the consequences of my part in this war. I have long ago applied for oath of amnesty, but I hold that in good faith I and my aide are entitled to our paroles, and

I need not tell you that with a wife and seven children defenseless and dependent, my presence at home is a matter of necessity to me.

Respectfully, your obedient servant,

WILLIAM H. PAYNE,
Brigadier-General, C. S. Army.

P. S.—If practicable, will you see General Hancock?

[First indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
June 9, 1865.

Respectfully referred to General Hoffman, Commissary-General of Prisoners.

The lieutenant-general commanding is clearly of the opinion that General Payne and his aide are entitled to the benefits of the parole granted the rebel Army of Northern Virginia. General Hoffman will therefore please order the release of these officers upon parole and furnish them transportation to their homes.

By command of Lieutenant-General Grant:

JNO. A. RAWLINS,
Brigadier-General, Chief of Staff.

[Second indorsement.]

Release ordered June 2, 1865.

RICHMOND, VA., *May 23, 1865—8 a. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

Dispatch regarding Seddon and McCulloh just received and necessary orders issued.

E. O. C. ORD,
Major-General.

WAR DEPARTMENT,
Washington City, May 22 [23], 1865—9 a. m.

Major-General DIX, *New York:*

Reagan, late rebel Postmaster, and Alexander H. Stephens, of Georgia, have, by direction of the President, been sent to Fort Warren, to be imprisoned there. The President directs that you take measures for their separate and secure imprisonment, and prevent all communication with them, verbally or by writing; that you proceed to Fort Warren and inspect the arrangements and establish such regulations as may be proper for the security of the prison, its proper guard and police, and make full report. Allow no communication with the prisoners in transit to the prison, and if the rebel officers there endanger the security of the prison transfer them to Fort Lafayette. Please acknowledge these instructions and give them your immediate attention.

By order of the President:

EDWIN M. STANTON,
Secretary of War.

NEW YORK, *May 23, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

Your dispatch in regard to Reagan and Stephens received. Will leave for Boston immediately.

JOHN A. DIX,
Major-General.

WAR DEPARTMENT,
Washington City, May 23, 1865—9.35 a. m.

General MORRIS, *Fort McHenry, Baltimore:*

Some of the prisoners taken with Davis have been ordered to Fort McHenry to be imprisoned. You will take all necessary measures for guarding them securely. Report whether your force is adequate. You will prevent all communication with them, verbally or in writing.

EDWIN M. STANTON,
Secretary of War.

FORT MCHENRY, MD., *May 23, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

Telegram relating to the Davis prisoners received. They can be securely guarded here by my forces, which are adequate for all purposes. No communication with them will be allowed, either verbal or by writing, as indicated by your order.

W. W. MORRIS,
Brevet Brigadier-General, Commanding.

WAR DEPARTMENT, *Washington City, May 23, 1865.*

General SCHOEPF, *Fort Delaware:*

I have ordered General Wheeler and other officers captured with Jefferson Davis to be taken to Fort Delaware. You will take measures for their secure imprisonment and prevent all communication between or with them, verbally or in writing. Report whether your force is adequate for securely guarding them.

EDWIN M. STANTON,
Secretary of War.

FORT DELAWARE, *May 23, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

General Wheeler and staff arrived here yesterday at 10 a. m., and having received no special orders in the case and no knowledge of their having been captured with Jefferson Davis, I placed them with the other officers, but on receipt of your telegram this morning transferred them to separate and secure quarters and will prevent further communication. My guard is sufficient. Full report by mail.

A. SCHOEPF,
Brigadier-General, Commanding.

WAR DEPARTMENT, *Washington, D. C., May 23, 1865.*

Major-General MILES, *Fortress Monroe:*

Direct Colonel Pritchard to report in person to the Adjutant-General with his men. Let him be sure to bring with him the woman's dress in which Jefferson Davis was captured.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
May 23, 1865.

Lieutenant-Colonel PRITCHARD,
Fourth Michigan Cavalry, Fort Monroe, Va.:

COLONEL: In compliance with instructions from the Secretary of War, you will proceed to Washington with the detachment under your command and report in person to the Adjutant-General. You will take with you the woman's dress in which Jeff. Davis was captured.

By order of Brevet Major-General Miles:

N. CHURCH,
Major and Acting Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 24, 1865—12 m.

Hon. E. M. STANTON, *Washington:*

Hunter, Judge Campbell, and Mr. Seddon are held as prisoners. If they are to be confined for a length of time I recommend that they be sent to some fort, as their presence in this city is calculated to irritate and excite.

H. W. HALLECK,
Major-General, Commanding.

WASHINGTON, *May 24, 1865.*

Major-General HALLECK:

The case of Mr. Seddon and Judge Campbell is before the Judge-Advocate-General. I will procure a speedy report from him and give you instructions as to the proceedings to be had against them.

E. M. STANTON,
Secretary of War.

FORT MONROE, *May 24, 1865.*

Major-General HALLECK, *Richmond:*

In your instructions the prisoners were only allowed their Bibles. They desire their prayer-books and tobacco. Will it be granted them?

NELSON A. MILES,
Brevet Major-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 24, 1865—8.35 p. m.

Maj. Gen. N. A. MILES, *Fort Monroe:*

Allow the prisoners prayer-books and tobacco.

H. W. HALLECK,
Major-General, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 24, 1865.

C. A. DANA, Esq., *Assistant Secretary of War:*

SIR: I have the honor to send you by the hand of Colonel Pritchard, Fourth Michigan Cavalry, a package of papers found upon the persons or the baggage of the prisoners. This package comprises all that can be found, a careful search having been made of the whole party.

Yesterday I directed that irons be put on Davis' ankles, which he violently resisted, but became more quiet afterward. His hands are unencumbered. Both he and Clay are well. The females were sent to Savannah to-day. I also send the colors of the One hundred and fiftieth Pennsylvania Volunteers, found in the baggage of Mrs. Davis

Very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 25, 1865.

Hon. E. M. STANTON, *Secretary of War, Washington, D. C.:*

SIR: Pursuant to your verbal instructions I have the honor to lay before you the accompanying papers, being the orders and instructions under which rebel prisoners who were or have been in close confinement or in irons were forwarded for exchange. General Orders, No. 6, of January, 1865, which directs this exchange, was issued while General Wessells was in charge of this office, and was distributed by him to the several prison stations for execution. The first case that was brought to my notice was that of three prisoners at Johnson's Island, two of whom were under sentence of death as spies. They were released under the accompanying instructions from Major-General Hitchcock, marked A, and the decision in this case covered that class of prisoners. On the same day, February 17, I received from Lieutenant-General Grant a telegram directing that "all rebel prisoners who are or have been in close confinement or in irons" should be forwarded for exchange as soon as possible, and orders were given accordingly. His telegram is inclosed, marked B.* On the 14th of March a telegram from Lieutenant-General Grant was received by the Secretary of War in reference to the exchange of prisoners in close confinement or in irons, with the request that General Hoffman be directed to forward those at Alton and other places, and stating that prisoners of this class were not forwarded as per agreement. This telegram was referred to me by Major-General Halleck, with directions to carry out the instructions of Lieutenant-General Grant. The telegram is herewith inclosed, marked C.† On the same day I received a telegram to the same effect from Lieutenant-General Grant, which is herewith inclosed, marked D.‡ These frequent orders upon this subject seemed to imply that there was a remissness on my part in attending to my duty, and I replied to Lieutenant-General Grant by telegram and by letter, explaining my misunderstanding of his orders and the character of prisoners who would be released under them, viz, spies, murderers, &c. His telegram of the 17th of February directed the exchange not only of those who were at the time in close confinement or in irons, but also all that had been so confined. Copy of letter herewith, marked E.§ On the 23d of March I wrote again to the general (copy, marked F,‖ herewith), calling his attention to the character of the prisoners I was forwarding and informing him, to insure that none should be delivered who did not come under his instructions, the history of each prisoner would be sent with him to General Mulford. On the 20th of March a letter from Mr. Ould complaining that Colonel Winston and other rebel officers were wearing ball and chain at Alton was received from Lieutenant-General Grant with directions that if the facts were as reported the officers

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* See p. 242. † See p. 383. ‡ See p. 392. § See p. 400. ‖ See p. 423.

should be forwarded for exchange. Copy of indorsements herewith, marked G. On receipt of this letter I informed the lieutenant-general by telegram, March 25, that the officers referred to were not then and had not been wearing ball and chain, but that they were under sentence to confinement for various periods. Telegram herewith, marked H.* In reply I was instructed to forward all the prisoners referred to in my dispatch. Telegram herewith, marked I.* Three other letters from Mr. Ould complaining that contrary to the agreement prisoners were held in close confinement were received by me on the 20th of March from Lieutenant-General Grant, with instructions in two cases to forward the prisoners and in the third without particular instructions. These letters were returned, all with an indorsement showing what had been done in each case. Copies of the indorsements are herewith, marked K, L, and M. The general instructions given by me were based on the telegram of Lieutenant-General Grant of the 17th of February, using his own words, and it was upon this order that Captain Gurley was forwarded. He had been held awaiting promulgation of sentence since January 9, 1864, and the order covered his case. The records of this office did not give the charges against him, and it was not known that he was charged with the murder of General McCook until a copy of the roll on which he was forwarded to City Point for exchange was received. There were other prisoners of the same character on the same roll, and if it was not intended that such should be exchanged, they could have been sent back from City Point. General Grant's order required me to forward all prisoners, without exception, who were or had been in close confinement or in irons, but to guard against misunderstanding I inquired of him whether citizens or parties who had been arrested since the date of the agreement were to be released under his order, and was informed by him that they were not, and orders were given accordingly. In submitting the foregoing for your consideration I feel assured that I have clearly shown that in carrying out the orders I received I not only did not go beyond them, but through the precaution of reference to Lieutenant-General Grant I had them much restricted.

I am, sir, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

BOSTON, *May 25, 1865.*

Hon. E. M. STANTON:

I made arrangements for the reception of Messrs. Stephens and Reagan at Fort Warren yesterday. They arrived at 10 last evening and were transferred to the fort this morning at 10. They are securely disposed of. I will make a full report from my headquarters in New York to-morrow.

JNO. A. DIX,

Major-General.

RALEIGH, *May 25, 1865.*

Maj. Gen. H. W. HALLECK:

I have arrested Captain Morfit and will guard him to you at once.†

J. M. SCHOFIELD,

Major-General.

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*See p. 428.

† For order directing arrest, see Series I, Vol. XLVII, Part III, p. 567.

[MAY 25, 1865.—For Wilson to Stanton, reporting arrest of Howell Cobb, S. R. Mallory, and B. H. Hill, see Series I, Vol. XLIX, Part II, p. 901.]

HDQRS. MILITARY DISTRICT OF FORT MONROE,
May 25, 1865.

Hon. C. A. DANA,
Assistant Secretary of War, Washington, D. C.:

SIR: I have the honor to send you, inclosed herewith, two letters from Mrs. Jeff. Davis, one to Hon. William H. Seward, and the other to Hon. F. P. Blair, sr.; also a letter from Mrs. C. C. Clay, jr., to Judge-Advocate-General Holt, which they desired me to forward.

Mr. Davis is very anxious to see Mr. Seward in person, and in case he cannot see him he wants to see Mr. Blair, sr., and asked me to make the request.

Very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General, Commanding.

GENERAL COURT-MARTIAL ORDERS, No. 250.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, May 26, 1865.*

* * * * * * *

II. In the case of R. T. Semmes, citizen, sentenced by a military commission "to be imprisoned at hard labor at such place as the commanding general may direct for the term of three years," and now confined in the penitentiary at Columbus, Ohio, as promulgated in General Orders, No. 30, headquarters Northern Department, Cincinnati, Ohio, April 21, 1865, the sentence is remitted, and he will be released from confinement without delay.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, May 26, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to make the full report required by the order of the President communicated to me by your telegraphic dispatch of the 23d instant, concerning Messrs. Stephens and Reagan, which was received at these headquarters at a quarter past 12 on the same day. I left for Boston by the evening train, arriving at that city at 6 a. m. on the 24th. Before leaving New York I telegraphed the quartermaster at Boston to have a steamer in readiness to take me to Fort Warren at 8 a. m. My dispatch, through some want of punctuality, was not delivered till half past 8, and I took the regular steamer at 9 a. m., reaching Fort Warren at 10.

I immediately inspected with Major Allen, the commanding officer, the rooms which could be appropriated to the imprisonment of Messrs. Stephens and Reagan, and selected two basement casemated rooms, apart from each other, and opening on separate halls. They have each two grated windows opening on an area in which a sentinel is posted, so as to render all communication with them impossible. The rooms are respectively parts of suites of apartments having one door opening

into a hall and two doors opening into adjoining rooms. The two latter are planked up. The door opening into the hall is secured by a padlock, and a sentinel is posted on the outside in the hall.

Having made this arrangement, the steamer with the expected prisoners not having arrived, I addressed a note to the commander, to be delivered to him on his arrival, advising him that I would personally attend to their transfer to the fort on the ensuing morning at 10 o'clock. The steamer arrived about 10 p. m. on the 24th and anchored a mile below the fort, and at 9 a. m. the ensuing morning she got under way and came to anchor off Galloup's Island, a short distance above the fort. At 10 o'clock, pursuant to arrangement, I sent Colonel McMahon, one of my aides-de-camp, to the ship in a tug for Mr. Stephens, who was brought on shore, received at the dock by Lieutenant Woodman, who is in charge of the rebel prisoners, conducted to his room and locked up. Colonel McMahon then returned to the ship and received Mr. Reagan, who was brought on shore, received by Lieutenant Woodman, conducted to his room, and secured in the same manner.

I inclose a copy of the regulations I have established for the security and treatment of these prisoners (see paper marked A). I have given no directions in regard to their rations, leaving the officer in command at Fort Warren to be governed by his instructions from the War Department in regard to other prisoners.

The paper inclosed, marked B,* is a summary of the morning report of the garrison of Fort Warren for the 24th instant, so far as concerns that portion which is fit for duty and available for its security.

The paper inclosed, marked C,* is a statement of the number of prisoners confined at the fort, with their rank and class.

By a comparison of these two last papers it will be seen that the security of the prisoners is ample and there is no necessity of transferring any portion of them to Fort Lafayette.

I inclose a rough plan of the fort.* The letters S. and R. indicate the rooms in which Messrs. Stephens and Reagan are confined. The generals are in the basement, in bastion C, but are entirely shut off from the area in front of the rooms of Messrs. Stephens and Reagan, and have a chain of sentinels between them, and they are also separated by a chain of sentinels from the other prisoners of war, blockade-runners, &c. The generals are not permitted to go beyond bastion C, and the other prisoners are not permitted to go beyond the space between bastions B and C. The place in which Messrs. Stephens and Reagan are permitted to walk an hour each day at separate hours is on the opposite side of the fort between bastions D and E.

Not caring to converse with Messrs. Stephens or Reagan, I had no personal communication with either of them.

Trusting that the wishes of the President have been properly carried out,

I am, very respectfully, your obedient servant,

JOHN A. DIX,
Major-General.

[Inclosure.]

A.

FORT WARREN, *Boston Harbor, May 25, 1865.*

Maj. H. A. ALLEN, *Commanding Fort Warren:*

MAJOR: Mr. Alexander H. Stephens, of Georgia, and Mr. Reagan, late Postmaster-General of the insurgent States, are committed to your

* Omitted.

custody for safe-keeping. The following rules are prescribed for your guidance:

First. They will be confined to the rooms already designated, and will not be removed to any others without consultation with me.

Second. They will not be permitted to communicate with each other, or with any other person, either verbally or in writing.

Third. A sentinel will be placed at the door of each room, and each door will be constantly locked and the keys kept by the officer in charge of the rebel prisoners.

Fourth. Their meals will be sent to their rooms and left there in presence of the sentinel on duty, who will permit no communication between them and the person taking their meals to them.

Fifth. A sentinel will be constantly posted in the area in front of their rooms.

Sixth. They will be permitted to go to the water-closet in rear of their respective rooms, and will always be accompanied by the sentinel having them in charge.

Seventh. They will be permitted to walk in bastions D and E for an hour each day, between 9 a. m. and 6 p. m., but at separate hours, so that only one of them will be out of his room at the same time. On all these occasions they are to be accompanied by a commissioned officer.

Eighth. Whenever either of them is out of the room no other prisoner in the fort will be allowed to go beyond the sidewalk in front of their respective places of confinement.

Very respectfully, yours,

JOHN A. DIX,
Major-General.

[MAY 26, 1865.—For terms of military convention between Canby and Smith, see Series I, Vol. XLVIII, Part II, p. 600.]

NAVY DEPARTMENT, *Washington, May 27, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to request that the commandant at Fort Warren may be instructed to release any of the officers or crew of the prize steamer Deer in his custody that are foreign subjects.

Very respectfully, &c.,

G. V. FOX,
Acting Secretary of the Navy.

[Indorsement.]

WAR DEPARTMENT, *May 29, 1865.*

Referred to the Commissary-General of Prisoners, with directions to comply with the request of the Secretary of the Navy.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

FLAG-OF-TRUCE BOAT LIBERTY,
Mouth of Red River, May 27, 1865.

For the purpose of exchanging such Confederate prisoners of war as belong to the Trans-Mississippi Department and who may be for

exchange in the Military Division of West Mississippi, it is agreed between the undersigned, in consequence of the uncertainty of obtaining transportation from the Confederate Government for such men to their homes, that a meeting take place at the city of New Orleans, and that Maj. Ig. Szymanski, agent of exchange of U. S. Army, be furnished free transportation and safe conduct for that purpose to and from New Orleans at such time as he may find it convenient and proper to effect the exchange.

IG. SZYMANSKI,
Assistant Adjutant-General and Assistant Agent of Exchange.
WM. McE. DYE,
Col. Twentieth Iowa Vols. and Agent of Exchange, U. S. Army.

[MAY 27, 1865.—For A. J. Smith to Christensen, reporting arrest of ex-Governor A. B. Moore, of Alabama, and other correspondence relating thereto, see Series I, Vol. XLIX, Part II.]

WASHINGTON, *May 28, 1865—11 a. m.*

Major-General HALLECK, *Richmond, Va.:*

The Secretary of War directs that Stephens, Hunter, and Campbell be sent to Fort Pulaski for confinement until final disposition can be made.

U. S. GRANT,
Lieutenant-General.

RICHMOND, VA., *May 28, 1865.*

Lieut. Gen. U. S. GRANT:

Your telegram of to-day says: "Stephens, Hunter, and Campbell." I presume Seddon is meant instead of Stephens. Will the Navy furnish a vessel for the purpose, or will the Quartermaster-General send one to Fort Monroe?

H. W. HALLECK,
Major-General.

WAR DEPARTMENT,
Washington, D. C., May 28, 1865—7 p. m.

Major-General HALLECK, *Richmond, Va.:*

Stephens was mentioned by the Secretary of War. Is he not at Fort Monroe? Seddon had better go also. I will ask the Navy to furnish a vessel to take them.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 28, 1865—10.20 p. m.

Lieutenant-General GRANT, *Washington:*

Stephens was sent to Fort Warren a week ago by direction of the Secretary of War. Seddon, Hunter, and Campbell will be sent to Fort Monroe to embark on any vessel the Navy or Quartermaster's

Department may assign to transport them to Fort Pulaski. Orders should be sent to General Gillmore for their confinement.

H. W. HALLECK,
Major-General, Commanding.

WAR DEPARTMENT, *Washington City, May 28, 1865.*

Major-General HALLECK, *Richmond:*

Seddon was the person intended by General Grant instead of Stephens. The Secretary of the Navy will transport them on a gunboat to Fort Pulaski, and will give orders this evening for that purpose.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, *Washington City, May 28, 1865.*

Major-General DIX, *New York:*

Mallory, late rebel Secretary of the Navy, and B. H. Hill, of Georgia, have been arrested and are ordered to be forwarded to you, to be held in custody at Fort Lafayette. You will receive and hold them there.*

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, *Washington City, May 28, 1865.*

Major-General MILES, *Commanding, &c., Fort Monroe:*

Please report whether irons have or have not been placed on Jefferson Davis. If they have been, when was it done, and for what reason, and remove them.

EDWIN M. STANTON,
Secretary of War.

FORT MONROE, VA., *May 28, 1865—2.30 p. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

I have the honor to state, in reply to your dispatch, that when Jeff. Davis was first confined in the casemate the inner doors were light wooden ones without locks. I directed anklets to be put upon his ankles, which would not interfere with his walking, but would prevent his running, should he endeavor to escape. In the meantime I have changed the wooden doors for grated ones with locks and the anklets have been removed. Every care is taken to avoid any pretense for complaint, as well as to prevent the possibility of his escape.

I remain, with the highest respect, your obedient servant,

N. A. MILES,
Brigadier-General.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 28, 1865—9.30 p. m.

Brevet Major-General MILES, *Fort Monroe:*

Jeff. Davis and C. C. Clay having been confined in Fort Monroe by order of the Secretary of War, communicated through me, they will

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*For correspondence relating to arrest of B. H. Hill and S. R. Mallory, not published in this series, see Series I, Vol. XLIX, Part II.

be removed from that place only on orders from the same source, communicated in the same way. No writs or orders of any civil courts will be recognized or obeyed.

H. W. HALLECK,
Major-General, Commanding.

[MAY 28, 1865.—For Canby to Stanton, reporting arrest of Governor Charles Clark, of Mississippi, and other correspondence relating thereto, see Series I, Vol. XLIX, Part II.]

[MAY 28, 1865.—For correspondence between Stanton and Thomas, directing release of Cobb and retention of Mallory and Hill, see Series I, Vol. XLIX, Part II, pp. 922, 923.]

CIRCULAR.] DEPARTMENT OF STATE,
Washington, May 29, 1865.

SIR: A copy of the President's amnesty proclamation of this date is herewith appended. By a clause in the instrument the Secretary of State is directed to establish rules and regulations for administering and recording the amnesty oath, so as to insure its benefits to the people and guard the Government against fraud. Pursuant to this injunction you are informed that the oath prescribed in the proclamation may be taken and subscribed before any commissioned officer, civil, military, or naval, in the service of the United States, or any civil or military officer of a loyal State or Territory, who by the laws thereof may be qualified for administering oaths. All officers who receive such oaths are hereby authorized to give certified copies thereof to the persons respectively by whom they were made. And such officers are hereby required to transmit the original of such oaths at as early a day as may be convenient to this Department, where they will be deposited and remain in the archives of the Government. A register thereof will be kept in the Department and on application in proper cases certificates will be issued of such records in the customary form of official certificates.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

[Inclosure.]

By the President of the United States of America:

A PROCLAMATION.

Whereas, the President of the United States, on the 8th day of December, A. D. 1863, and on the 26th day of March, A. D. 1864, did, with the object to suppress the existing rebellion, to induce all persons to return to their loyalty and to restore the authority of the United States, issue proclamations offering amnesty and pardon to certain persons who had directly or by implication participated in the said rebellion; and whereas, many persons who had so engaged in said rebellion have since the issuance of said proclamations failed or neglected to take the benefits offered thereby; and whereas, many persons who have been justly deprived of all claim to amnesty and pardon thereunder, by reason of

their participation directly or by implication in said rebellion and continued hostility to the Government of the United States since the date of said proclamations, now desire to apply for and obtain amnesty and pardon:

To the end, therefore, that the authority of the Government of the United States may be restored, and that peace, order, and freedom may be established, I, Andrew Johnson, President of the United States, do proclaim and declare that I hereby grant to all persons who have, directly or indirectly, participated in the existing rebellion, except as hereinafter excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, and except in cases where legal proceedings, under the laws of the United States providing for the confiscation of property of persons engaged in rebellion, have been instituted; but upon the condition, nevertheless, that every such person shall take and subscribe the following oath (or affirmation), and thenceforward keep and maintain said oath inviolate: and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:

I, ——— ———, do solemnly swear (or affirm), in the presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States, and the Union of the States thereunder; and that I will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves: So help me God.

The following classes of persons are excepted from the benefits of this proclamation: First, all who are or shall have been pretended civil or diplomatic officers or otherwise domestic or foreign agents of the pretended Confederate Government; second, all who left judicial stations under the United States to aid the rebellion; third, all who shall have been military or naval officers of said pretended Confederate Government above the rank of colonel in the Army or lieutenant in the Navy; fourth, all who left seats in the Congress of the United States to aid the rebellion; fifth, all who resigned or tendered resignations of their commissions in the Army or Navy of the United States to evade duty in resisting the rebellion; sixth, all who have engaged in any way in treating otherwise than lawfully as prisoners of war persons found in the U. S. service, as officers, soldiers, seamen, or in other capacities; seventh, all persons who have been or are absentees from the United States for the purpose of aiding the rebellion; eighth, all military and naval officers in the rebel service who were educated by the Government in the Military Academy at West Point or the U. S. Naval Academy; ninth, all persons who held the pretended offices of Governors of States in insurrection against the United States; tenth, all persons who left their homes within the jurisdiction and protection of the United States and passed beyond the Federal military lines into the pretended Confederate States for the purpose of aiding the rebellion; eleventh, all persons who have been engaged in the destruction of the commerce of the United States upon the high seas, and all persons who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British Provinces from the United States; twelfth, all persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval, or civil confinement or custody, or under bonds of the civil, military, or naval authorities, or agents of the United States, as prisoners of war, or persons detained for offenses of any kind, either before or after conviction; thirteenth, all persons who have voluntarily participated in

said rebellion, and the estimated value of whose taxable property is over $20,000; fourteenth, all persons who have taken the oath of amnesty as prescribed in the President's proclamation of December 8, A. D. 1863, or an oath of allegiance to the Government of the United States since the date of said proclamation, and who have not thenceforward kept and maintained the same inviolate.

Provided, That special application may be made to the President for pardon by any person belonging to the excepted classes; and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States.

The Secretary of State will establish rules and regulations for administering and recording the said amnesty oath, so as to insure its benefit to the people and guard the Government against fraud.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington the twenty-ninth day of May, in the year of our Lord one thousand eight hundred and sixty-
[L. S.] five, and of the Independence of the United States the eighty-ninth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD,
Secretary of State.

WAR DEPARTMENT, *Washington City, May 29, 1865.*

Hon. G. WELLES, *Secretary of the Navy:*

SIR: I am instructed by the Secretary of War to inform you that orders have been given to the Commissary-General of Prisoners to release any of the officers or crew of the prize steamer Deer, now confined at Fort Warren, who may be British subjects, in accordance with the request made in your letter of the 27th instant.

I have, &c.,

C. A. DANA,
Assistant Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 29, 1865.

The Secretary of War directs that you send a list of names of the prisoners who would be discharged under the following order to this office immediately, giving number of order promulgating sentence, and that the prisoners be not discharged until you receive further instructions from here:

GENERAL ORDERS, No. 98. } WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, May 27, 1865.*

Ordered, That in all cases of sentences by military tribunals of imprisonment during the war the sentence be remitted and that the prisoners be discharged. The Adjutant-General will issue immediately the necessary instructions to carry this order into effect.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

(Copy to Department commanders and officers in command of military prisons.)

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 29, 1865.

Col. C. W. HILL,
Commanding Johnson's Island, Sandusky, Ohio:

COLONEL: Your letter of the 21st instant in reference to forwarding to Louisville, Ky., for publication, a communication from prisoners of war acknowledging their obligations to the Masonic fraternity for favors is received. The rules which govern the correspondence of prisoners of war limit them to simple domestic letters to their friends and do not under any circumstances authorize the commanding officer to forward articles for publication. If prisoners who are released desire to make any publication which is not objectionable, they must do it after they have left the prison.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Richmond, Va., May 29, 1865.

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to request information upon the subject of releasing prisoners of war now held in the North. We are daily importuned by the friends of prisoners, as well as frequent official calls and references, to know if cases of special discharge will be considered. Also, when the officers will be released and whether or not it is the intention of our Government to release immediately all prisoners now held who are willing to take the oath. By furnishing such intelligence as will enable me to answer the above inquiries you will greatly oblige,

Very respectfully, your obedient servant,

JNO. E. MULFORD,
Brevet Brigadier-General, U. S. Agent for Exchange.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Richmond, Va., May 29, 1865.

Brig. Gen. W. HOFFMAN.
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to request that you will furnish me with a transcript of any records in your possession which will aid me in the identification of parties to whom the moneys and other valuables recently turned over to me properly belong. I understand that among the books and papers of Libby Prison forwarded to you there were records of the moneys taken from our prisoners; also a record of remittances sent from the North and deposited to the credit of prisoners. Such papers would be of great benefit to me in the distribution of this property. If not convenient for you to have them copied immediately, you can send them to me by express and I will copy and return them to you at once.

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,
Brevet Brigadier-General, U. S. Agent for Exchange.

FORT WARREN, MASS., *May 30, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States of America:

SIR: I hereby apply to be allowed to take the oath of allegiance prescribed in your proclamation of 29th instant and to be released. I am excluded, as having been educated at the U. S. Military Academy, on account of my rank as lieutenant-general in the Confederate service, and as being now a prisoner of war, and on no other grounds.

I am, sir, very respectfully, your obedient servant,

R. S. EWELL.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 30, 1865.

General RAWLINS, *Chief of Staff:*

GENERAL: During the past day or two I have received a number of orders to release prisoners on their taking the amnesty oath of December 8, 1863. Since the proclamation of this morning will it not be best to release them on taking the simple oath of allegiance?

Respectfully,

W. HOFFMAN,
Commissary-General of Prisoners.

[Indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, May 30, 1865.

Respectfully returned to Brig. Gen. W. Hoffman, Commissary-General of Prisoners.

Require of those you discharge the oath of allegiance only.

By command of Lieutenant-General Grant:

JNO. A. RAWLINS,
Brigadier-General and Chief of Staff.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 30, 1865.

Brig. Gen. JAMES BARNES, *Commanding Point Lookout, Md.:*

GENERAL: I have the honor to inform you that the plan proposed in your letter of the 16th instant relative to the discharge of prisoners of war patients in hospital at Point Lookout, who desire to take the oath of allegiance, is approved by the Secretary of War. Transportation to their homes will be furnished to these prisoners, in cases where it is more convenient by steamer via Wilmington, Savannah, and Mobile; in other cases by the usual manner by the most direct route. You will please report at once the number to be sent to each of these ports mentioned, in order that steamers may be sent for their conveyance. If there are any charges against any of these prisoners they will not be released, but their cases will be reported to this office for further instructions.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, *May 30, 1865.*

Col. D. MACAULEY, *Fort McHenry:*

In all cases when the release of prisoners of war is ordered from this office against whom there are special charges the execution of the order will be suspended unless the contrary is specially directed, and the case submitted to the Commissary-General of Prisoners for further instructions, with full report of the facts.

G. BLAGDEN,
Assistant to Commissary-General of Prisoners.

(Similar instructions to all officers commanding military prisons.)

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., May 30, 1865—11.30 a. m.

Hon. E. M. STANTON, *Washington:*

I have just received notice that the Tristram Shandy will receive Messrs. Hunter, Campbell, and Seddon. They will be immediately sent down in a gun-boat. I presume you have given orders to General Gillmore in regard to receiving and imprisoning them.

H. W. HALLECK,
Major-General, Commanding.

RICHMOND, *May 30, 1865—11 a. m.*

SENIOR NAVAL OFFICER, *Hampton Roads:*

Three prisoners, Messrs. R. M. T. Hunter, J. A. Campbell, and J. A. Seddon, will be sent by a gun-boat to the Tristram Shandy in Hampton Roads, for transportation to Fort Pulaski, Ga.

H. W. HALLECK,
Major-General.

RICHMOND, *May 30, 1865.*

Maj. Gen. E. O. C. ORD, *Commanding Department of Virginia:*

GENERAL: You will immediately send the gun-boat with Messrs. Hunter, Campbell, and Seddon, under a proper guard, to Hampton Roads, and deliver the prisoners to the commanding officer of the Tristram Shandy for transportation to Fort Pulaski, Ga. The officer of the guard will take a receipt for the prisoners.

Very respectfully, your obedient servant,

H. W. HALLECK,
Major-General, Commanding.

CIPHER AND STRICTLY CONFIDENTIAL. WAR DEPARTMENT,
Washington City, May 30, 1865—9.30 p. m.

Major-General HOVEY, *Indianapolis:*

The President orders that the sentence of death heretofore passed against Horsey, Bowles, and Milligan be commuted to imprisonment of each at hard labor in the penitentiary during his life. The penitentiary at Columbus, Ohio, is designated as the place of imprisonment. You will cause them to be transported to Columbus under sufficient guard and delivered to the warden of the penitentiary to carry this commuted

sentence into effect and report when you have done so. The President directs that you regard this order as confidential and keep it secret until the day of execution arrives, and that you acknowledge the receipt of this order and the time when it was received by you.

EDWIN M. STANTON,
Secretary of War.

HEADQUARTERS AGENT OF EXCHANGE,
MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., [May 30, 1865?]

Capt. C. H. DYER,
Asst. Adjt. Gen., Military Division of West Mississippi:

CAPTAIN: For the information of the commanding general I have the honor to state that at the mouth of Red River on the 27th instant a meeting took place between Major Szymanski, Confederate agent of exchange, and myself for the purpose of exchanging prisoners at that time and place. There were turned over to him (exchanged) as follows:

Rank.	Number.	Equivalent in privates.
Lieutenant	1	4
Non-commissioned officers	151	302
Privates	730	730
Total	882	1,036

At the same time and place there were received from Major Szymanski, as follows:

Rank.	Number.	Equivalent in privates.
Majors	2	16
Captains	15	90
Lieutenants	32	128
Non-commissioned officers	301	602
Privates	1,368	1,368
Total	1,718	2,204

Also,

Steam-boat men	76
Sutlers	6
Citizens	15
Total	1,815

leaving a balance on this exchange due the Confederate Government of an equivalent of—

Privates	1,168
Steam-boat men	76
Sutlers	6
Citizens	15

With the exception of a very few men, who are supposed to have escaped, this number (1,815) embraces all of our prisoners in Texas. A final settlement will be made in a few days with the Confederate agent, when I will be able to submit a final report, closing, it is hoped, the business of the office.

I am, captain, very respectfully, your obedient servant,

WM. McE. DYE,

Colonel and Agent of Exchange, Mil. Div. of West Mississippi.

GENERAL ORDERS, No. 103. } WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, May 31, 1865.*

1. All Federal troops received on parole by Col. Charles C. Dwight, agent of exchange in the Military Division of West Mississippi, at Red River Landing, La., in February, 1865, are declared exchanged.

2. The enlisted men named in Special Orders, No. 145, Department of Mississippi, April 29, 1865, delivered to the U. S. authorities at Vicksburg, April 28, 1865, are declared exchanged.

By order of the Secretary of War:

E. D. TOWNSEND,

Assistant Adjutant-General.

WASHINGTON, D. C., *May 31, 1865.*

Lieut. Gen. U. S. GRANT,

Commanding Armies of the United States, Washington, D. C.:

GENERAL: To facilitate the release of prisoners of war without its being too much hurried, and to save much labor in your office, and this one also, I would respectfully suggest that the commanding officers of military prisons be directed to release, on their taking the oath of allegiance, fifty or more per day, taking those below the rank of general and in alphabetical order, commencing with each letter of the alphabet and taking of that letter in proportion to the number of names beginning with it. None to be discharged under this arrangement against whom there are charges of any kind, and a list to be furnished daily to this office of those discharged. There are seventeen military prisons at which are confined over 50,000 prisoners, and at the rate of fifty per day it will take near sixty days to vacate the prisons. There are about 5,000 officers in confinement, all of whom might be excluded from release, except on special application, if thought advisable.

There are a number of citizens in confinement without charges, and some against whom there are charges who have not been tried. Inasmuch as all who have been tried and sentenced to confinement during the war have been pardoned, it would seem that the prisoners above referred to might also be released, with perhaps a few exceptions of those awaiting trial.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WAR DEPARTMENT, *Washington City, May 31, 1865.*

WILLIAM HUNTER, Esq., *Acting Secretary of State:*

SIR: I am instructed by the Secretary of War to transmit certain letters written by Mrs. Jefferson Davis and Mrs. C. C. Clay and

addressed to the Hon. J. Holt, Hon. William H. Seward, and F. P. Blair, sr.

I am, sir, very respectfully, your obedient servant,

C. A. DANA,
Assistant Secretary of War.

HEADQUARTERS DISTRICT OF INDIANA,
Indianapolis, Ind., May 31, 1865—12 m.

E. M. STANTON, *Secretary of War, Washington, D. C.:*

I have just received your telegram commuting the sentences of Bowles, Milligan, and Horsey. The orders shall be strictly obeyed.

ALVIN P. HOVEY,
Brevet Major-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 31, 1865.

Major-General AUGUR,
Commanding Department of Washington, Washington, D. C.:

SIR: The Secretary of War directs that you send an officer immediately to take charge of Henry Wirz, a captain in the rebel service, who had charge of the Andersonville Prison, and commit him to the Old Capitol Prison, where he will be kept securely confined. He is now in the central guard-house, where he was delivered by Captain Noyes, of General Wilson's staff. Please report the execution of this order.

I am, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF WASHINGTON,
May 31, 1865.

Respectfully referred to Col. T. Ingraham, provost-marshal-general, Defenses North of the Potomac, for immediate compliance with the within instructions, to be returned with report of action.

By command of Major-General Augur:

H. W. SMITH,
Assistant Adjutant-General, Officer of the Day.

[Second indorsement.]

OFFICE PROVOST-MARSHAL-GENERAL,
DEFENSES NORTH OF THE POTOMAC,
May 31, 1865.

Respectfully returned. This order has this day been fully complied with. Captain Wirz is now in Old Capitol Prison.

T. INGRAHAM,
Colonel and Pro. Mar. Gen., Defenses North of the Potomac.

WASHINGTON CITY, D. C., *May 31, 1865.*

His Excellency Governor JOHN A. ANDREW:

SIR: When the rebel General Magruder defeated an expedition to the Sabine River, set on foot by General Banks, there were two free

colored boys captured and sold into slavery belonging to Boston. A statement of the facts in the case reached me with Your Excellency's indorsement soon after the facts became known, but at that time it was found impossible to do anything for the relief of the two boys. As the door seems now open for an inquiry, I should be most happy to be instrumental in procuring the release of the boys; to this end I have caused a search to be made among my papers for the statement of the case, and not finding it I have written to the agent of exchange, on the supposition that I may have forwarded the statement for some action on his part. Meantime I respectfully call your attention to the matter, in the hope that you may have some record or some means by which the names of the boys may be known and sent to me, that I may make the proper effort, through our local commander in Texas, to find the said boys.

The mother of the boys is said to be a respectable colored woman of the city of Boston.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Maj. Gen. of Vols. and Commissioner for Exchange of Prisoners.

NASHVILLE, *May 31, 1865.*

Major-General MILROY, *Tullahoma:*

Turn J. S. Malone over to the civil authorities for trial.

The major-general commanding directs that any man who has been admitted to the privileges of parole under his order, or under the conventions between Generals Grant and Lee or Sherman and Johnston, be not arrested by military authority, as it is a breach of faith to induce a man to surrender, under promise of permitting him to return to his home, and then to put him in prison.

WM. D. WHIPPLE,
Brigadier-General, &c.

GENERAL ORDERS, } HEADQUARTERS DISTRICT OF INDIANA,
No. 37. } *Indianapolis, Ind., May 31, 1865.*

The execution of General Orders, No. 27, dated headquarters District of Indiana, Indianapolis, May 9, 1865, having been suspended by the following telegram, dated Washington, May 16, 1865, to wit:

WASHINGTON, *May 16, 1865.*

Brevet Major-General HOVEY:

I have commuted the sentence of death of Horsey to imprisonment at hard labor for life. You will suspend the execution of Milligan and Bowles until Friday, June 2.

A. JOHNSON,
President.

Said order is, in accordance with said telegraphic order, so modified as to be:

William A. Bowles, citizen of the State of Indiana, will be hanged by the neck until he be dead, on Friday, the 2d day of June, 1865, between the hours of 12 o'clock m. and 3 o'clock p. m., on the parade grounds between Camp Morton and Burnside Barracks, near the city of Indianapolis, Ind. Bvt. Brig. Gen. Ambrose A. Stevens, commanding Camp Morton and Burnside Barracks, is charged with the execution of this order, and will make report thereof to the commanding general.

Lambdin P. Milligan, citizen of the State of Indiana, will be hanged by the neck until he be dead, on Friday, the 2d day of June, 1865, between the hours of 12 o'clock m. and 3 o'clock p. m., on the parade grounds between Camp Morton and Burnside Barracks, near the city of Indianapolis, Ind. Bvt. Brig. Gen. Ambrose A. Stevens, commanding Camp Morton and Burnside Barracks, is charged with the execution of this order, and will make report thereof to the commanding general.

Stephen Horsey, citizen of the State of Indiana, will be confined at hard labor during the term of his natural life, and the penitentiary at Columbus, Ohio, is designated as the place of his confinement. He will be sent under guard to said penitentiary with a copy of this order, together with a copy of General Orders, No. 27, current series, from these headquarters, of which this order is a modification. Lieut. Col. John H. Gardiner, Seventeenth Regiment Veteran Reserve Corps, commanding post, Indianapolis, Ind., will cause the order in this case to be executed.

By command of Bvt. Maj. Gen. Alvin P. Hovey:

J. W. WALKER,
Major and Assistant Adjutant-General.

NASHVILLE, *May 31, 1865.*

Maj. Gen. JOHN E. SMITH, *Memphis, Tenn.:*

Under the decision of the Attorney-General, General Buford cannot enter the State of Kentucky without taking the oath of allegiance to the United States, thereby divesting himself of his character of an officer of the rebel Army.

WM. D. WHIPPLE,
Brigadier-General, &c.

Observations upon the diseases of the Federal prisoners confined in Camp Sumter, Andersonville, in Sumter County, Ga., instituted with a view to illustrate chiefly the origin and causes of hospital gangrene, the relations of continued and malarial fevers, and the pathology of camp diarrhea and dysentery, by Joseph Jones, surgeon, Provisional Army, C. S., professor of medical chemistry in the Medical College of Georgia, at Augusta, Ga.*

Hearing of the unusual mortality amongst the Federal prisoners confined at Andersonville, Ga., in the month of August, 1864, during a visit to Richmond, Va., I expressed to the Surgeon-General, S. P. Moore, C. S. Army, a desire to visit Camp Sumter, with the design of instituting a series of inquiries upon the nature and causes of the prevailing diseases. Smallpox had appeared amongst the prisoners, and I believed that this would prove an admirable field for the establishment of its characteristic lesions. The condition of Peyer's glands in this disease was considered as worthy of minute investigation. It was believed that a large body of men from the northern portion of the United States suddenly transported to a warm, southern climate, and confined upon a small portion of land, would furnish an excellent field for the investigation of the relations of typhus, typhoid, and malarial fevers.

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* Doctor Jones testified before the Wirz military commission that he was engaged upon this report when General Johnston surrendered his army; that the "report never was delivered to the Surgeon-General," &c.

The Surgeon-General C. S. Army furnished me with the following letter of introduction to the surgeon in charge of the C. S. military prison at Andersonville, Ga.:

CONFEDERATE STATES OF AMERICA, SURGEON-GENERAL'S OFFICE,
Richmond, Va., August 6, 1864.

Surg. ISAIAH H. WHITE,
In Charge of Hospital for Federal Prisoners, Andersonville, Ga.:

SIR: The field for pathological investigations afforded by the large collection of Federal prisoners in Georgia is of great extent and importance, and it is believed that results of value to the profession may be obtained by a careful investigation of the effects of disease upon this large body of men subjected to a decided change of climate and to the circumstances peculiar to prison life. The surgeon in charge of the hospital for Federal prisoners, together with his assistants, will afford every facility to Surg. Joseph Jones in the prosecution of the labors ordered by the Surgeon-General. Efficient assistance must be rendered Surgeon Jones by the medical officers, not only in his examinations into the causes and symptoms of the various diseases, but especially in the arduous labors of post-mortem examinations.

The medical officers will assist in the performance of such post-mortems as Surgeon Jones may indicate, in order that this great field for pathological investigation may be explored for the benefit of the medical department of the Confederate Army.

S. P. MOORE,
Surgeon-General.

In compliance with this letter of the Surgeon-General, Isaiah H. White, chief surgeon of the post, and R. R. Stevenson, surgeon in charge of the prison hospital, afforded the necessary facilities for the prosecution of my investigations amongst the sick outside of the stockade.

After the completion of my labors in the military prison hospital the following communication was addressed to Brig. Gen. John H. Winder, in consequence of the refusal on the part of the commandant of the interior of the C. S. military prison to admit me within the stockade upon the order of the Surgeon-General:

CAMP SUMTER, *Andersonville, Ga., September 16, 1864.*

Brig. Gen. JOHN H. WINDER, *Commandant Post, Andersonville:*

GENERAL: I respectfully request the commandant of the post of Andersonville to grant me permission and to furnish the necessary pass to visit the sick and medical officers within the stockade of the C. S. prison.

I desire to institute certain inquiries ordered by the Surgeon-General. Surg. Isaiah H. White, chief surgeon of the post, and Surg. R. R. Stevenson, in charge of the prison hospital, have afforded me every facility for the prosecution of my labors amongst the sick outside of the stockade.

Very respectfully, your obedient servant,

JOSEPH JONES,
Surgeon, Provisional Army, C. S.

In the absence of General Winder from the post Captain Winder furnished me with the following order:

CAMP SUMTER, *Andersonville, September 17, 1864.*

Capt. H. WIRZ, *Commanding Prison:*

CAPTAIN: You will permit Surg. Joseph Jones, who has orders from the Surgeon-General, to visit the sick within the stockade that are under medical treatment. Surgeon Jones is ordered to make certain investigations which may prove useful to his profession.

By direction of General Winder:

Very respectfully,

W. S. WINDER,
Assistant Adjutant-General.

Before entering into an examination of the diseases which proved so fatal to the Federal prisoners in Camp Sumter the medical topography and climate of the surrounding country will be briefly considered, that data may thus be obtained by which to estimate more correctly the causes of the fatal diseases.

General view of the medical topography and climate of Camp Sumter, Andersonville, Ga., and the country in the immediate vicinity.

Andersonville, with the surrounding hills, including the C. S. military prison, is elevated from 350 to 435 feet above the level of the ocean and is situated in Sumter County, Ga., between the Flint and Chattahoochee Rivers, seven miles due west of the former and forty-two miles east of the latter, in about 32° 10′ north latitude, and 85° 26′ west longitude, near the commencement of the western slope of the dividing ridge between the streams flowing southwesterly into the Gulf of Mexico and those flowing southeasterly into the Atlantic Ocean. Fort Valley, twenty-nine miles northeast of Andersonville, at an elevation of about 530 feet, lies upon the crest of the ridge running between the Ocmulgee and Flint Rivers, the former, uniting with the Oconee and forming the Altamaha, empties into the Atlantic Ocean, and the latter, uniting with the Chattahoochee and forming the Appalachicola River, pours its waters into the Gulf of Mexico. From this dividing ridge the country slopes gradually toward the Atlantic on the southeast and toward the Gulf of Mexico on the southwest. Andersonville is distant from the Atlantic Ocean in a straight line about 170 miles, the configuration of the coast of Georgia being such that the distance is about the same from Saint Catharine's, Sapello, Altamaha, Saint Simon's, and Saint Andrew's Sounds, and is distant from that part of the Gulf of Mexico near where the Wakulla and Saint Mark's Rivers enter Appalachee Bay, 142 miles. The summit of the hill at Andersonville, upon which the C. S. general hospital has been located, is 435 feet above the level of the sea and is next to the highest point on the railroad between Oglethorpe and Albany, the highest point between these two places being 480 feet. High table land, with an average elevation of about 460 feet, lies between Andersonville and Americus, the highest point being 480.6 feet. The following are the elevations above the level of the ocean of several points about Andersonville: Railroad depot, 399 feet; hill opposite depot, 416 feet; North Branch of Sweetwater Creek at Andersonville, 360 feet; South Branch, 350.5 feet; highest hill in stockade, 400 feet. The town of Americus is 78 feet below the summit of the highest hill at Andersonville, and five and a half feet above the level of the South Branch of Sweetwater Creek.

The hills of this rolling country in and around Andersonville vary in height from 40 to 108 feet above the level of the water courses. The summit of the hill upon which the C. S. general hospital is located is elevated 108 feet above the branch of Sweetwater Creek, which flows at its base, and 178 feet above low water in the Flint River opposite this place.

Character of the soil.—The surface soil is sandy, with but little vegetable mold. For agricultural purposes the soil may be characterized as light, sandy, and unproductive after the first few years of cultivation. Many of the hills which have been cleared and cultivated present a barren surface, with varying admixtures of white sand and red clay. Some of the hills appear to be composed in large measure of sand, and upon the surface present a white, sandy, loose soil, in which the pouched rat or salamander burrows to a considerable depth. Others present a red color, resembling the red-clay hills of Middle and Upper Georgia. They contain, however, much less clay in their structure and are less productive. The red color is due to the admixture with the sand and clay of the oxide of iron. The hills are composed of

alternate layers of sand and pipeclay, called most commonly soapstone. Both the sand and clay present various shades of color, from pure white to deep red and chocolate. Under the microscope the pure white sand is found to consist of numerous crystalline fragments and crystals of transparent quartz.

After microscopical examination I was unable to detect any siliceous casts of animalcules or fragments of corals and shells, either in the white and variegated clays or in the layers of sand. This, however, must be taken only as negative evidence, for the amount of matter examined even after a prolonged microscopical examination is necessarily so small that the inability to detect organic remains in the small portion subjected to this minute scrutiny does not at all allow of the general assertion that these strata are devoid of all organic remains.

Geological position.—I was unable to discover any fossils by which the geological position of the immediate locality could with certainty be determined. As far, however, as my knowledge of the country lying above and below extends this region should be referred to the Tertiary, or more exactly to the upper or buhr-stone strata of the Eocene formation. It would appear that the force which elevated the Appalachian Mountains expended itself chiefly in this direction, between the two systems of rivers, and towards the southwestern portions of Georgia and Florida and the southeastern parts of Alabama.

The relative elevation and geological position of Andersonville will be best comprehended by considering the preceding facts, in connection with a general view of the topography and geological features of Georgia.

The State of Georgia is situated between the 30° 22′ and 35° parallels of north latitude, and between 80° 48′ and 85° 40′ west longitude. Upon a general view of the physical structure of Georgia the observer is first struck by the natural division of the State into two portions presenting marked physical, geological, botanical, zoological, and climatic differences. We shall for the present purpose only indicate these grand divisions.

Looking inland from the Atlantic Ocean, a vast plain seems emerging from its waters, and gently rising like the shelving bottom of the ocean which washes its low shores. At first an almost undeviating level, it is imperceptibly broken into hill and dale, and gradually attains a height of from 300 to 500 feet above the level of the sea, when it meets the primary and metamorphic rocks at a line passing through Augusta, Macon, and Columbus, near the heads of navigation of the Savannah, Ogeechee, Oconee, Ocmulgee, and Chattahoochee. The length of this plain from north to south varies from 100 to 150 miles, and its geological formations extend from the Cretaceous to the most recent, and it forms a large part of the great Atlantic slope, extending through South Carolina, North Carolina, Virginia, Maryland, Delaware, and New Jersey.

North of the line which we have indicated as the boundary of the Tertiary plain lies the other division, the primitive region of Georgia, crossing the State from northeast to southwest, with a width of 160 miles at the northern limit and 100 at the southern. With an elevation of about 500 feet upon its southern border, this primitive belt soon swells into an elevated plateau, near 1,000 feet above the level of the sea, and gradually rising towards the west and north into mountains, rising from 1,000 to 3,000 feet higher. The Blue Ridge range of mountains passes near its western edge, and attaining a height from 1,200 to 4,000 feet forms the most elevated land of the State. From

the level of the low Atlantic islands to the elevated plateau and mountains there is an average elevation of from 1,200 to 1,500 feet, which at the lowest calculation is equivalent to three degrees of latitude, and if we add the difference of latitude we have near eight degrees, equivalent to an equal number of degrees of temperature.

Whilst the southern extremity of the low plain bordering on the sea is a region of palms, with an almost tropical climate in summer, suited to the sugar cane, orange, date, and lemon, the mountainous northern extremity rises into an elevation favorable to grain, apples, and the grasses. Between the sub-tropical climate of the sea-coast and the cooler and more bracing climate of the mountains vegetation has a wide range, cotton, rice, tobacco, wheat, and corn, and numerous fruits, as the fig, pomegranate, watermelon, plum, peach, pear, grape, and apricot, may be added to those above enumerated.

Andersonville is situated in the western portion of Georgia, about seventeen miles due east of the western boundary of the Cretaceous formation and about forty miles south of the southern boundary of the primitive region of Middle Georgia. At the time of the selection of this place for the confinement of Federal prisoners the fertile, sub-tropical rice and sea-island cotton region of Georgia was to a great extent abandoned and desolate, and the fertile hills and valleys of Northern Georgia were being devastated by the fierce conflicts of contending armies.

Character of the waters of Andersonville.—I carefully analyzed the waters from various localities and found them all remarkably pure; the waters of the wells and small streams did not differ to any extent in specific gravity from that of distilled water, and they contained only mere traces of the chlorides and sulphates and of the salts of lime, magnesia, and iron. The well of water upon the summit of the hill upon which the Confederate general hospital is situated is of remarkable purity, and in fact it may be considered as equal to the purest water in the world. Its temperature, 18° C. (—— F.), is sufficiently cool in this hot climate during the summer and fall months to render it refreshing.

The waters of the branches of Sweetwater Creek before entering the stockade (Confederate military prison) and the Federal hospital are equally pure, with the exception of very minute traces of vegetable matters; these, however, do not exist in sufficient quantity to be of the slightest moment in a medical point of view.

The waters of these streams are not so pleasant for drinking as the well water because their temperature is several degrees higher, and is subject to considerable variations, according to the volume and rapidity of the current and the degree of external heat. I found the temperature of the South Branch of Sweetwater Creek, above the C. S. military prison, at the close of a warm day to be 22° C. (—— F.).

From this examination of the waters of Andersonville and the vicinity we are justified in the conclusion that little or no lime exists in the soil. The chemical examination of the waters corresponds, therefore, with the results of the microscopical examination of the sands and clays composing the surface of the country. The waters of the streams, wells, and springs within the stockade (C. S. military prison) and the military prison hospital were also subjected to careful chemical examination and were found in like manner to be of remarkable purity.

The waters of the stream which enters the stockade, as well as of the bold spring which mingles its waters with this stream just after its entrance into the stockade, and which are extensively used by the

prisoners for drinking, washing, and cooking, are of great purity, containing only traces of the sulphates and chlorides, and of lime, magnesia, and iron. The bakery is situated near this stream, and one of the Confederate regiments is camped on the hill above, but these sources of contamination are too far distant to sensibly affect the constant flowing waters. The only perceptible effect was a slight increase of the chlorides.

The waters of the stream which enters the hospital inclosure, as well as of the deep well within the hospital grounds, were in like manner of remarkable purity, and contained only slight traces of the chlorides and sulphates and the salts of lime, magnesia, and iron. The waters of the streams issuing from the stockade and hospital are contaminated by the excrements, filth, and offal of the Federal prisoners, and contain not only these matters, and various salts resulting from their decomposition, but also numerous maggots, animalculæ, and cryptogamous plants. As these waters loaded with filth and human excrement flow sluggishly through the swamp below, filled with trees and reeds coated with a filthy deposit, they emit an intolerable and most sickening stench. Standing as I did over these waters in the middle of a hot day in September, as they rolled sluggishly forth from the stockade, after having received the filth and excrements of 20,000 men, the stench was disgusting and overpowering, and if it was surpassed in unpleasantness by anything, it was only in the disgusting appearance of the filthy almost stagnant waters moving slowly between the stumps and roots and trunks of fallen trees and thick branching reeds and vines, with innumerable long-tailed, large, white maggots, swollen peas, and fermenting excrements and fragments of bread and meat.

Vegetation.—The vegetation of the highlands and hills indicates the poverty of the soil. The low grounds and swamps bordering the streams are of too great extent, and they do not manifest by their growth any special fertility. The forest trees covering the high grounds and hills consist chiefly of the long-leaf pine (*Pinus australis*), yellow pine (*P. mitis*), barren scrub oak (*Quercus catesbæi*), black jack oak (*Q. nigra*), post oak (*Q. obtusiloba*), upland willow oak (*Q. cinerea*), *Q. discolor*, *Q. coccinea*, *Q. rubra*, *Q. falcata*, *Q. biloba*, persimmon (*Diospyros virginiana*), chinquapin (*Castanea pumila*), black walnut (*Juglans nigra*), holly (*Ilex opaca*), wild plum (*Prunus umbellata*), *Prunus chicasa*, *Prunus virginiana*, maple (*Acer rubrum*), sweet leaf, wild haw, whortleberry, and many other shrubs. With the exception of the pines, the oaks and all the trees growing upon these barren hills presented a stunted diminutive appearance.

The low grounds and swamps bordering the streams were clothed chiefly with sweet gum (*Liquidambar styraciflua*), tulip tree (*Liriodendron tulipifera*), black gum (*Nyssa multiflora*), tupelo (*Nyssa aquatica* and *N. uniflora*), red flowering maple (*Acer rubrum*), lind, beech, small magnolia, sweet bay, red bay, myrtle, the common cane, and numerous shrubs and vines, also several species of pine (*P. serotina* and *P. palustris*, *P.* ——), and of oak (*Q. aquatica*, *Q. alba*). The swamps in this immediate vicinity appear to rest upon sand and to have no great depth of vegetable mold.

From this examination we conclude that there is no recognizable source of disease in the soil and waters of Andersonville, except perhaps to a limited extent in the immediate neighborhood of the narrow swamps and low grounds bordering the streams.

As far as I could ascertain, the high lands of Sumter County have proved very healthy to the inhabitants. Along the borders of the

swamps, and especially along the Flint River and large water courses, chills and fevers are common in the summer and autumn.

After careful examination I was impressed with the belief that the high lands of Andersonville and of this region of country were as healthy as any region in the world situated in the same latitudes and at the same elevation above the sea; and that this locality chosen by the Confederate States for the confinement of the Federal prisoners was much more salubrious than most of the region of Georgia lying to the south and southeast.

Animals.—The higher species of vertebrate animals appear to be comparatively rare in this sandy elevated region. The opossum (*Didelphys virginiana*), raccoon (*Procyon lotor*), rabbit or American hare (*Lepus americanus*), fox squirrel (*Sciurus vulpinus*), cat squirrel (*Sciurus cinereus*) are the most common. The deer (*Cervus virginianus*) is found chiefly in the large swamps and forests. Wild turkeys are said to have been abundant when the country was first reclaimed from the Indians. The gopher (*Testudo polyphemus*) and the salamander or pouched rat (*Pseudostema bursarium*) are found in considerable numbers in the dry and more sandy soils. As far as my information extends, these animals do not extend into the primitive region of Georgia. The falls in the rivers may be taken as the geographical limit of these interesting and characteristic animals. The birds appear to be scarce upon the high lands and sandy hills. They abound chiefly along the larger water-courses. The mocking bird, catbird, and redbird appear to frequent the forests throughout the entire year. The wild turkey is now rare, although when this country was settled both this bird and the deer were abundant.

On the other hand, in this immediate locality vermin and insects of certain species abound to a most unfortunate extent. In this sandy soil fleas find a most suitable and healthy habitation and multiply with great rapidity, whilst mosquitoes swarm in untold myriads and render life at night all but intolerable by their everlasting buzzing and their troublesome bites. It was almost impossible to sleep, except under nets. During the first night that I slept at this place my face and hands were thoroughly peppered with the bites of these insects, and throughout my stay at Andersonville my face appeared as if covered with an eruptive disease. I observed that many of the prisoners and the Confederate soldiers had been similarly treated by the mosquitoes. It is probable that the immense amount of filth generated by the prisoners may have had much to do with the development and multiplication of these insects.

Climate.—Andersonville is situated very nearly in the same latitude with the following places: Savannah, 32° 4′ 53″; Beaufort, S. C., 32° 25′ 57″; Charleston, S. C., 32° 46′ 33″; Montgomery, Ala., 32° 22′; Jackson, Miss., 32° 23′; Point Loma, Cal., 32° 40′ 13″; San Diego, 32° 41′ 58″; Tuscaloosa, 33° 12′, and Vicksburg, Miss.

In the absence of direct observations at Andersonville we are able to form a pretty correct idea of the climate from the observations recorded in places of the same latitude. The mean temperature of Andersonville may be assumed, without any great deviation from the truth, at about 65° for the spring, 82° for the summer, 65° for the autumn, and 55° for the winter, and 65° for the year.

The isothermal line of Andersonville for the spring passes through or near Charleston, S. C., Columbus, Ga., Montgomery, Ala., Vicksburg, Miss., Fort Scott, Tex., and rises up along the Pacific coast nearly to the thirty-fourth degree of latitude; for the summer, it commences as low as the Bahamas, near the twenty-fifth degree of north latitude,

passing through Nassau, and ascending along the coast of Florida through Fort Dallas, Saint Augustine, and along the coast of Georgia and Carolina through Savannah and Charleston, and thence almost directly across the continent, through Columbus, Montgomery, Jackson, Vicksburg, Miss., Austin and Fort Dawson, Tex., thus falling below the thirtieth degree of north latitude in Texas. For the autumn it commences on the Atlantic coast as high up as the thirty-fifth degree of latitude, and passes through Beaufort, N. C., Wilmington, N. C., Columbus, Ga., Montgomery, Ala., Jackson, Miss., and in Texas falls below the thirtieth degree of latitude, and on the Pacific coast rises again above the thirty-fifth degree of latitude. For the winter the isothermal line of Andersonville again commences on the Atlantic coast near the thirty-fifth degree of north latitude, and passes through Fort Johnston, N. C., Charleston, S. C., near Savannah, Ga., and Montgomery, Ala., Jackson, Miss., Natchitoches, La., Austin, Forts Lincoln and Clark, Tex., passing in Texas as low as the twenty-fourth degree of latitude, and then, rising towards the Pacific coast, strikes the Pacific Ocean about the thirty-seventh degree fiftieth minute north latitude. For the entire year the isothermal line commences on the Atlantic coast near the thirty-fourth degree north latitude, passes through Fort Johnston, N. C., Montgomery, Ala., Jackson, Miss., and descends in Texas below the thirtieth degree, and in Mexico below the twenty-fifth degree, and ascends toward the Pacific coast as high as the thirty-seventh degree north latitude.

It is evident, therefore, from these facts that the climate of Andersonville is similar in most respects to that of the interior basin of the Mississippi, being colder in winter and autumn and spring and warmer in summer than the Atlantic coast in the same latitude.

In conclusion, as far as my pathological and physical investigations extended, I was compelled to believe that the diseases which proved so fatal to the Federal prisoners confined at Andersonville, Ga., were due to causes other than those connected with the soil, waters, and climate.

The heat of the climate may have promoted the rapid decomposition of the filth, which in violation of all hygienic laws was allowed to accumulate in the stockade and hospital grounds; and also in itself the heat may have been a cause of debility; but still the fearful mortality could not properly be referred to this condition of the climate or to all the elements of climate combined.

No blame can be attached to the Confederate authorities for the collection of the Federal prisoners at this elevated and healthy locality, which was more salubrious than one-half the territory of South Carolina, Georgia, Alabama, Mississippi, and Louisiana.

Description of the C. S. military prison and hospital at Andersonville, number of prisoners, physical condition, food, clothing, habits, moral condition, diseases.

The Confederate military prison at Andersonville, Ga., consists of a strong stockade, twenty feet in height, inclosing twenty-seven acres. The stockade is formed of strong pine logs, firmly planted in the ground. The main stockade is surrounded by two other similar rows of pine logs, the middle stockade being sixteen feet high and the outer twelve feet. These are intended for offense and defense. If the inner stockade should at any time be forced by the prisoners, the second forms another line of defense, whilst, in case of an attempt to deliver the prisoners by a force operating upon the exterior, the outer line forms an admirable protection to the Confederate troops and a most formidable obstacle to cavalry or infantry. The four angles of the outer line

are strengthened by earth-works upon commanding eminences, from which the cannon, in case of an outbreak amongst the prisoners, may sweep the entire inclosure, and it was designed to connect these works by a line of rifle-pits running zigzag around the outer stockade. These rifle-pits have never been completed.

The ground inclosed by the innermost stockade lies in the form of a parallelogram, the larger diameter running almost due north and south. This space includes the northern and southern opposing sides of two hills, between which a stream of water runs from west to east. The surface soil of these hills is composed chiefly of sand with varying admixtures of clay and oxide of iron. The clay is sufficiently tenacious to give a considerable degree of consistency to the soil. The internal structure of the hills as revealed by the deep wells is similar to that already described. The alternate beds of clay and sand, as well as the oxide of iron, which forms in its various combinations a cement to the sand, allow of extensive tunneling. The prisoners not only constructed numerous dirt huts with balls of clay and sand taken from the wells which they have excavated all over these hills, but they have also in some cases tunneled extensively from these wells. The lower portions of these hills bordering on the stream are wet and boggy, from the constant oozing of water.

The stockade was built originally to accommodate only 10,000 prisoners, and included at first seventeen acres. Near the close of the month of June the area was enlarged by the addition of ten acres. The ground added was situated on the northern slope of the largest hill.

The following table presents a view of the density of the population of the prison at different periods:

Table illustrating the mean number of Federal prisoners confined in the C. S. military prison at Andersonville, Ga., from its organization, February 24, 1864, to September, 1864, area of stockade, and the average number of square feet of ground to each prisoner.

Date.	Mean strength of Federal prisoners.	Area of stockade in square feet.	Average number of square feet of ground to each prisoner.
1864.			
March	7,500	740,520	98.7
April	10,000	740,520	74
May	15,000	740,520	49.3
June	22,291	740,520	33.2
July	29,030	1,176,120	40.5
August	32,899	1,176,120	35.7

Within the circumscribed area of the stockade the Federal prisoners were compelled to perform all the offices of life—cooking, washing, urinating, defecation, exercise, and sleeping. During the month of March the prison was less crowded than at any subsequent time, and then the average space of ground to each prisoner was only 98.7 feet, or less than eleven square yards. The Federal prisoners were gathered from all parts of the Confederate States east of the Mississippi and crowded into this confined space, until in the month of June the average number of square feet of ground to each prisoner was only 33.2, or less than 4 square yards. These figures represent the condition of the stockade in a better light even than it really was; for a considerable breadth of land along the stream flowing from west to east

between the hills was low and boggy and was covered with the excrements of the men, and thus rendered wholly uninhabitable, and in fact useless for every purpose except that of defecation.

The pines and other small trees and shrubs which originally were scattered sparsely over these hills were in a short time cut down and consumed by the prisoners for firewood, and no shade tree was left in the entire inclosure of the stockade. With their characteristic industry and ingenuity the Federals constructed for themselves small huts and caves, and attempted to shield themselves from the rain and sun, and night damps and dew. But few tents were distributed to the prisoners, and these were in most cases torn and rotten. In the location and arrangement of these tents and huts no order appears to have been followed. In fact, regular streets appeared to be out of the question in so crowded an area; especially, too, as large bodies of prisoners were from time to time added suddenly without any previous preparation.

The irregular arrangement of the huts and imperfect shelters was very unfavorable for the maintenance of a proper system of police. The police and internal economy of the prison was left almost entirely in the hands of the prisoners themselves, the duties of the Confederate soldiers acting as guards being limited to the occupation of the boxes or lookouts ranged around the stockade at regular intervals, and to the manning of the batteries at the angles of the prison. Even judicial matters pertaining to themselves, as the detection and punishment of such crimes as theft and murder, appear to have been in a great measure abandoned to the prisoners. A striking instance of this occurred in the month of July when the Federal prisoners within the stockade tried, condemned, and hanged six of their own number, who had been convicted of stealing and of robbing and murdering their fellow-prisoners. They were all hung upon the same day, and thousands of the prisoners gathered around to witness the execution. The Confederate authorities are said not to have interfered with these proceedings.

In this collection of men from all parts of the civilized world every phase of human character was represented. The stronger preyed upon the weaker, and even the sick, who were unable to defend themselves, were robbed of their scanty supplies of food and clothing. Dark stories were afloat of men, both sick and well, who were murdered at night, strangled to death by their comrades, for scant supplies of clothing or money. I heard a sick and wounded Federal prisoner accuse his nurse, a fellow prisoner of the U. S. Army, of having stealthily, during his sleep, inoculated his wounded arm with gangrene, that he might destroy his life and fall heir to his clothing.

The excuse given for the absence of Confederate guards and police within the inclosure of the stockade was the insufficiency of men capable of performing military duty. At the time of the establishment and during the existence of the military prison at Andersonville the Confederate Government was being sorely pressed on every side, the best States being overrun and desolated; and with all the forces that could be gathered from all quarters, the main armies are still largely outnumbered, and are being steadily pressed back, leaving a desolated and ruined country. It is with difficulty that the Confederate Government can spare at the present time of trouble and disaster between 2,000 and 3,000 reserves, composed of old men and boys (many of whom are wholly unfit to perform even guard duty), to guard this large number of prisoners, which they have ever been anxious to exchange, and which they believe to be forced upon their hands by the persistent action of the United States Government. Similar excuses are given

for the crowded condition of the stockade. Thus, it is affirmed that the gigantic operations as well as the formidable and sudden raids of the U. S. forces in Virginia, around Richmond, and in Northern Georgia, have compelled the sudden and continuous removal to a place of safety of the prisoners. The military operations of the United States have reduced the railroad system of the Confederate States east of the Mississippi practically to one long and uncertain line.

The utmost capacity of the railroads of the Southern Confederacy, which are now in a most deplorable condition, is taxed with the transportation of troops, sick and wounded soldiers, prisoners, munitions of war, and provisions for the armies in the field. Notwithstanding the utmost exertions of the Confederate authorities, the armies in the field are, as is well known to the Surgeon-General, but poorly fed and clothed at the best, and ofttimes are upon less than one-quarter rations; and were it not for supplies received from home and through private sources and taken forcibly in foraging, it would appear almost impossible that the Confederate Army should be able to keep the field with anything like its present numbers. The Surgeon-General is also well acquainted with the fact that at the present time large numbers, and it might almost be said entire armies, of Confederate troops are suffering with symptoms of the scurvy, and hospital gangrene is making fearful ravages amongst the poorly fed and badly clothed and imperfectly treated wounded of the Army of Tennessee now contending for the possession of Georgia.

Again, the Confederate currency has depreciated almost to a nominal value, and large numbers of the citizens are refusing to take it in the purchase of provisions and lumber. In this section of Georgia the means of cutting and hauling lumber are scarce, not only from the original absence of machinery and scarcity of surplus horses and mules, but also from the extensive destruction of saw-mills by the contending armies, from the natural decay of machinery during three years of war in a country cut off from all intercourse with the surrounding world, and possessing at its best estate but few workshops for the manufacture of implements and machinery. Almost all the skilled labor of the country has been either forced into the ranks or has been monopolized by the War Department for the manufacture of ordnance and the munitions of war. Saws, axes, spades, tools, and implements of all kinds are exceedingly scarce in this section of country, and the State has been so often under the hands of the impressing officers that it is exceedingly difficult, if not impossible, to obtain teams for hauling lumber.

Notwithstanding that the objects of my labors as defined by the Surgeon-General are of a purely medical and scientific character, still I deem it to be an act of but simple justice to make a statement of these facts in connection with those results of my labors which appear to reflect severely upon the action of certain officers charged with the management and discipline of the C. S. military prison at this post. The large number of men confined within the stockade soon, under a defective system of police, and with imperfect arrangements, covered the surface of the low grounds with excrements. The sinks over the lower portions of the stream were imperfect in their plan and structure, and the excrements were in large measure deposited so near the borders of the stream as not to be washed away, or else accumulated upon the low boggy ground. The volume of water was not sufficient to wash away the feces, and they accumulated in such quantities in the lower portion of the stream as to form a mass of liquid excrement. Heavy rains caused the waters of the stream to rise, and as the arrangements for

the passage of the increased amounts of water out of the stockade were insufficient, the liquid feces overflowed the low grounds and covered them several inches after the subsidence of the waters. The action of the hot sun upon this putrefying mass of excrements and fragments of bread and meat and bones excited most rapid fermentation and developed a horrible stench. Improvements were projected for the removal of the filth and for the prevention of its accumulation, but they were only partially and imperfectly carried out.

As the forces of the prisoners were reduced by confinement, want of exercise, improper diet, and by scurvy, diarrhea, and dysentery, they were unable to evacuate their bowels within the stream or along its banks, and the excrements were deposited at the very doors of their tents. The vast majority appeared to lose all repulsion to filth, and both sick and well disregarded all the laws of hygiene and personal cleanliness.

The accommodations for the sick were imperfect and insufficient. From the organization of the prison, February 24, 1864, to May 22, the sick were treated within the stockade. In the crowded condition of the stockade, and with the tents and huts clustered thickly around the hospital, it was impossible to secure proper ventilation or to maintain the necessary police. The Federal prisoners also made frequent forays upon the hospital stores and carried off the food and clothing of the sick. The hospital was on the 22d of May removed to its present site without the stockade, and five acres of ground, covered with oaks and pines, appropriated to the use of the sick.

The supply of medical officers has been insufficient from the foundation of the prison. The nurses and attendants upon the sick have been most generally Federal prisoners, who in too many cases appear to have been devoid of moral principle, and who not only neglected their duties, but were also engaged in extensive robberies of the sick.

From the want of proper police and hygienic regulations alone, it is not wonderful that from February 24 to September 21, 1864, 9,479 deaths (nearly one-third the entire number of prisoners) should have been recorded.

I found the stockade and hospital in the following condition during my pathological investigations instituted in the month of September, 1865 [1864]:

Stockade (*C. S. military prison*).—At the time of my visit to Andersonville a large number of Federal prisoners had been removed to Millen, Savannah, Charleston, and other parts of the Confederacy, in anticipation of an advance by General Sherman's forces from Atlanta with the design of liberating their captive brethren. However, about 15,000 prisoners remained confined within the limits of the stockade and C. S. military prison hospital.

In the stockade, with the exception of the damp low lands bordering the small stream, the surface was covered with huts and small ragged tents, and parts of blankets and fragments of oilcloth, coats, and blankets stretched upon sticks. The tents and huts were not arranged according to any order, and there was in most parts of the inclosure scarcely room for two men to walk abreast between the tents and huts.

I observed men urinating and evacuating their bowels at the very tent doors and around the little vessels in which they were cooking their food. Small pits, not more than a foot or two deep, nearly filled with soft offensive feces, were everywhere seen, and emitted under the hot sun a strong and disgusting odor. Masses of corn bread, bones, old rags, and filth of every description were scattered around or accumulated in large piles. If one might judge from the large pieces of

corn bread scattered about in every direction on the ground, the prisoners were either very lavishly supplied with this article of diet or else this kind of food was not relished by them.

Each day the dead from the stockade were carried out by their fellow-prisoners and deposited upon the ground under a bush arbor just outside of the southwestern gate. From thence they were carried in carts to the burying ground one-quarter of a mile northwest of the prison. The dead were buried without coffins, side by side, in trenches four feet deep.

The low grounds bordering the stream were covered with human excrements and filth of all kinds, which in many places appeared to be alive with working maggots. An indescribable sickening stench arose from this fermenting morass of human dung and filth.

There were near 5,000 seriously ill Federals in the stockade and C. S. military prison hospital, and the deaths exceeded 100 per day, and large numbers of the prisoners who were walking about, and who had not been entered upon the sick reports, were suffering from severe and incurable diarrhea, dysentery, and scurvy. The sick were attended almost entirely by their fellow-prisoners, appointed as nurses; and as they received but little attention, they were compelled to exert themselves at all times to attend to the calls of nature, and hence they retained the power of moving about to within a comparatively short period of the close of life. Owing to the slow progress of the diseases most prevalent—diarrhea and chronic dysentery—the corpses were as a general rule emaciated.

I visited 2,000 sick within the stockade lying under four long sheds which had been built at the northern portion for barracks. At this time only one medical officer was in attendance, whereas at least twenty medical officers should have been employed.

I was informed that several of the medical officers appointed to attend the sick within the stockade were sick, and that the duty was so arduous and the exhalations from the sick and filth of the prison were so deleterious, that it was impossible for the medical officers to stand the service for any length of time. Great difficulty was experienced by the surgeon in charge of the post to induce medical officers and physicians to accept positions in the stockade or hospital on account of the absence of many of the facilities for the treatment of the sick, and the great and numerous depressing agencies and the consequent unsatisfactory results of practice.

So distressing was the service and so great were the obstacles to successful and satisfactory practice amongst these men, whose constitutions had been broken down by long confinement and whose moral energies had been sapped by the loss of all hope of exchange on the part of their Government, that the more energetic Confederate surgeons and assistant surgeons endeavored to get transfers to other fields of labor, preferring the hardships and exposure of service at the front. It is also to be considered that not only is there a scarcity of physicians in the Confederacy, but it is especially difficult to command the services of competent physicians in this sparsely settled country. Added to all this the gigantic military operations in Georgia, attended with the utter desolation of her territory in the van of the Federal forces, and with the serious wounding of thousands of Confederate troops, have absorbed the attention and commanded the abilities of almost every available physician in the State. The hospitals of the Army of Tennessee have been in constant motion for months following the continuous series of disasters and evacuations in Northern Georgia, and are now crowded with seriously wounded, suffering in many cases with the

most extensive hospital gangrene and the fatal pyæmia. Every town and village in Georgia is filled with the wounded and sick, and the privations and sufferings of the Confederate troops, even amongst their own countrymen, are great beyond description and equal those of any armies in ancient or modern times. With the whole energies of this people engaged in such a terrible and unequal struggle, it is not singular that medical aid and talent of the highest order should be comparatively scarce and difficult of access and control at the interior posts.

The very conditions and results of the contest also, without doubt, tend to excite such prejudices as would disincline medical officers from seeking service amongst their captive enemies.

I found no record of the sick in the stockade previous to September 14, 1864. It appears that previous to this date no record was preserved of the diseases treated within the stockade, and the following includes all the medical statistics which I was able to collect within the prison walls proper:

Morning reports of Actg. Asst. Surg. F. J. Wells, in charge of Federal sick and wounded in stockade.

Date.	Remaining last report.	Taken sick.	Total sick.	Sent to general hospital.	Died.	Remaining.
1864.						
Sept. 14	936	64	1,000	76	36	888
15	888	515	1,403	114	58	1,231
16	1,231	13	1,244	16	70	1,159
17	1,159	88	1,247	109	36	1,102
18	1,102	906	2,008	3	50	1,955
19	1,955	.....	1,955	32	42	1,881
20	1,881	.....	1,881	63	44	1,774

If this table be compared with the following one from the C. S. military prison hospital during the same period we will see that the number of deaths was as great in the stockade as in the hospital, notwithstanding the disparity in the number of medical officers in attendance upon the sick in both instances, being 346 in the former and 344 in the latter.

Consolidated morning reports of Surg. R. R. Stevenson, in charge of C. S. military prison hospital, Andersonville, September 14–20, 1864.

Date.	Remaining in hospital last report.	Received from stockade.	Received from attendants.	Total in hospital.	Returned to stockade.	Deserted.	Detailed from hospital.	Died.	Remaining in hospital.	Medical officers on duty in hospital.			
										Surgeons.	Assistant surgeons.	Acting assistant surgeons.	Total.
1864.													
Sept. 14	1,609	76	.....	1,685	1	.....	49	37	1,598	3	11	8	22
15	1,598	114	.....	1,712	14	.....	.....	47	1,651	3	11	8	22
16	1,651	16	.....	1,667	1	.....	.....	49	1,617	3	11	8	22
17	1,617	109	4	1,730	.....	.....	.....	40	1,690	3	11	8	22
18	1,690	3	.....	1,693	.....	.....	.....	58	1,635	3	11	9	23
19	1,635	32	1	1,668	.....	2	.....	55	1,611	3	11	9	23
20	1,611	63	2	1,676	.....	.....	.....	48	1,628	3	11	9	23

Died in the stockade from its organization February 24, 1864, to September 21 3,254
Died in the hospital from its organization February 24, 1864, to September 21 6,225

Total deaths in hospital and stockade February 24, 1864, to September 21 9,479

Scurvy, diarrhea, dysentery, and hospital gangrene were the prevailing diseases. I was surprised to find but few cases of malarial fever, and no well-marked cases of either typhus or typhoid fever. The absence of the different forms of malarial fever may be accounted for on the supposition that the artificial atmosphere of the stockade, crowded densely with human beings and loaded with animal exhalations, was unfavorable to the existence and action of the malarial poison. The absence of typhoid and typhus fevers amongst all the causes which are supposed to generate these diseases appeared to be due to the fact that the great majority of these prisoners had been in captivity in Virginia, at Belle Island, and in other parts of the Confederacy for months, and even as long as two years, and during this time they had been subjected to the same bad influences, and those who had not had these fevers before either had them during their confinement in Confederate prisons or else their systems from long exposure were proof against their action.

The effects of scurvy were manifest on every hand, and in all its various stages, from the muddy, pale complexion, pale gums, feeble, languid, muscular motions, lowness of spirits and fetid breath, to the dusky, dirty, leaden complexion, swollen features, spongy, purple, livid fungoid bleeding gums, loose teeth, edematous limbs covered with livid vibices and petechiæ, spasmodically flexed, painful and hardened extremities, spontaneous hemorrhages from mucus canals, and large ill-conditioned spreading ulcers, covered with a dark-purplish fungous growth. I observed that in some of the cases of scurvy the parotid glands were greatly swollen, and in some instances to such an extent as to preclude entirely the power to articulate. In several cases of dropsy of the abdomen and lower extremities, supervening upon scurvy, the patients affirmed that previously to the appearance of the dropsy they had suffered with profuse and obstinate diarrhea, and that when this was checked by a change of diet from Indian-corn bread, baked with the husk, to boiled rice the dropsy appeared.

The severe pains and livid patches were frequently associated with swellings in various parts, and especially in the lower extremities, accompanied with stiffness and contractions of the kneejoints and ankles, and often with a brawny feel of the parts, as if lymph had been effused between the integuments and aponeurosis, preventing the motion of the skin over the swollen parts.

Many of the prisoners believed that the scurvy was contagious, and I saw men guarding their wells and springs, fearing lest some man suffering with the scurvy might use the waters and thus poison them.

I observed also numerous cases of hospital gangrene and of spreading scorbutic ulcers, which had supervened upon slight injuries. The scorbutic ulcers presented a dark purple fungoid elevated surface, with livid swollen edges, and exuded a thin fetid sanious fluid instead of pus. Many ulcers which originated from the scorbutic condition of the system appeared to become truly gangrenous, assuming all the characteristics of hospital gangrene.

From the crowded condition, filthy habits, bad diet, and dejected, depressed condition of the prisoners, their systems had become so disordered that the smallest abrasion of the skin from the rubbing of a shoe, or from the effects of the hot sun, or from the prick of a splinter, or from scratching a mosquito bite, in some cases, took on rapid and frightful ulceration and gangrene.

The long use of salt meat, ofttimes imperfectly cured, as well as the almost total deprivation of vegetables and fruit, appeared to be the chief causes of the scurvy.

I carefully examined the bakery and the bread furnished the prisoners, and found that they were supplied almost entirely with corn bread from which the husk had not been separated. This husk acted as an irritant to the alimentary canal, without adding any nutriment to the bread.

As far as my examination extended no fault could be found with the mode in which the bread was baked. The difficulty lay in the failure to separate the husk from the corn meal.

I strongly urged the preparation of large quantities of soup made from the cow and calves heads, with the brains and tongues, to which a liberal supply of sweet potatoes and vegetables might have been most advantageously added. The materials existed in abundance for the preparation of such soup in large quantities, with but little additional expense. Such aliment would have been not only highly nutritious, but it would also have acted as an efficient remedial agent for the removal of the scorbutic condition.

The sick within the stockade lay under several long sheds, which were originally built for barracks. These sheds covered two floors, which were open on all sides. The sick lay upon the bare boards, or upon such ragged blankets as they possessed, without, as far as I observed, any bedding or even straw. Pits for the reception of fæces were dug within a few feet of the lower floor, and they were almost never unoccupied by those suffering with diarrhea.

The haggard, distressed countenances of these miserable, complaining, dejected, living skeletons, crying for medical aid and food, and cursing their Government for its refusal to exchange prisoners, and the ghastly corpses, with their glazed eye-balls staring up into vacant space, with the flies swarming down their open and grinning mouths, and over their ragged clothes, infested with numerous lice, as they lay amongst the sick and dying, formed a picture of helpless, hopeless misery, which it would be impossible to portray by words or by the brush. A feeling of disappointment, and even of resentment, on account of the action of the United States Government upon the subject of the exchange of prisoners appeared to be widespread, and the apparent hopeless nature of the negotiations for the general exchange of prisoners appeared to be a cause of universal regret and of deep and injurious despondency. I heard some of the prisoners go so far as to exonerate the Confederate Government from any charge of intentionally subjecting them to protracted confinement, with its necessary and unavoidable sufferings, in a country cut off from all intercourse with foreign nations, and sorely pressed on all sides, whilst on the other hand they charged their prolonged captivity upon their own Government, which was attempting to make the negro equal to the white man.

Some hundred or more of the prisoners had been released from confinement in the stockade on parole and filled various offices, as clerks, druggists, and carpenters, &c., in the various departments. These men were well clothed and presented a stout and healthy appearance, and as a general rule they presented a much more robust and healthy appearance than the Confederate troops guarding the prisoners.

CONFEDERATE MILITARY PRISON HOSPITAL AT ANDERSONVILLE.

The hospital is situated near the southeast corner of the stockade and covers about five acres of ground. The larger forest trees, as the pine and oak, have been left in their natural state and furnish pleasant shade to the patients. The ground slopes gently toward the south

and east. A sluggish stream of water flows through the southern portion of the hospital grounds from west to east. The upper portion of this stream is used by the patients for washing, whilst along the borders of the lower portion logs have been ranged upon which the patients may sit and evacuate their bowels. This part of the stream was a semifluid mass of human excrements and offal and filth of all kinds. This immense cesspool fermenting beneath the hot sun emitted an overpowering stench. The banks of this stream south of the hospital inclosure are bordered by a swamp, which spreads out toward the southeast. This swamp is well covered by the forest trees usual in southern swamps, as the small magnolia, sweet bay, red bay, sweet gum, black gum, tupelo, poplar, red maple, ash, and beech. North of the hospital grounds the stream which flows through the stockade pursues its sluggish and filthy course. The exhalations from this swamp, which is loaded with the excrements of the prisoners confined in the stockade, exert their deleterious influences upon the inmates of the hospital. The entire grounds are surrounded by a frail board fence and are strictly guarded by Confederate soldiers, and no prisoner, except the paroled attendants, is allowed to leave the grounds, except by a special permit from the commandant of the interior of the prison.

The patients and attendants, near 2,000 in number, are crowded into this confined space and are but poorly supplied with old and ragged tents. Large numbers of them were without any bunks in the tents, and lay upon the ground, ofttimes without even a blanket. No beds or straw appeared to have been furnished.

The tents extend to within a few yards of the small stream, the eastern portion of which, as we have before said, is used as a privy and is loaded with excrements; and I observed a large pile of corn bread, bones, and filth of all kinds, thirty feet in diameter and several feet in height, swarming with myriads of flies, in a vacant space near the pots used for cooking. Millions of flies swarmed over everything and covered the faces of the sleeping patients, and crawled down their open mouths and deposited their maggots in the gangrenous wounds of the living and in the mouths of the dead. Mosquitoes in great numbers also infested the tents, and many of the patients were so stung by these pestiferous insects that they resembled those suffering with a slight attack of measles.

The police and hygiene of the hospital was defective in the extreme; the attendants, who appeared in almost every instance to have been selected from the prisoners, seemed to have in many cases but little interest in the welfare of their fellow captives. The accusation was made that the nurses in many cases robbed the sick of their clothing, money, and rations, and carried on a clandestine trade with the paroled prisoners and Confederate guards without the hospital inclosure in the clothing and effects of the sick, dying, and dead Federals. They certainly appeared to neglect the comfort and cleanliness of the sick intrusted to their care in a most shameful manner, even after making due allowances for the difficulties of the situation. Many of the sick were literally incrusted with dirt and filth and covered with vermin. When a gangrenous wound needed washing the limb was thrust out a little from the blanket or board or rags upon which the patient was lying, and water poured over it, and all the putrescent matters allowed to soak into the ground floor of the tent.

The supply of rags for dressing wounds was said to be very scant, and I saw the most filthy rags which had been applied several times and imperfectly washed used in dressing recent wounds. Where hos-

pital gangrene was prevailing it was impossible for any wound to escape contagion under these circumstances. The results of the treatment of wounds in the hospital were of the most unsatisfactory character, from this neglect of cleanliness, in the dressings and wounds themselves, as well as from various other causes, which will be more fully considered. I saw several gangrenous wounds filled with maggots. I have frequently seen neglected wounds amongst the Confederate soldiers similarly affected, and, as far as my experience extends, these worms destroy only the dead tissues and do not injure specially the well parts. I have even heard surgeons affirm that a gangrenous wound which had been thoroughly cleansed by maggots healed more rapidly than if it had been left to itself. This want of cleanliness on the part of the nurses appeared to be the result of carelessness and inattention rather than of malignant design and the whole trouble can be traced to the want of the proper police and sanitary regulations and to the absence of intelligent organization and division of labor. The abuses were in a large measure due to the almost total absence of system, government, and rigid but wholesome sanitary regulations.

In extenuation of these abuses it was alleged by the medical officers that the Confederate troops were barely sufficient to guard the prisoners, and that it was impossible to obtain any number of experienced nurses from the Confederate forces. In fact the guard appeared to be too small even for the regulation of the internal hygiene and police of the hospital.

The manner of disposing of the dead was also calculated to depress the already desponding spirits of these men, many of whom had been confined for months, and even for near two years, in Richmond and other places, and whose strength had been wasted by bad air, bad food, and neglect of personal cleanliness. The dead-house is merely a frame covered with old tent cloths and a few bushes, situated in the southwestern corner of the hospital grounds. When a patient dies he is simply laid in the narrow street in front of his tent until he is removed by Federal negroes detailed to carry off the dead. If a patient dies during the night he lies there until the morning, and during the day even the dead were frequently allowed to remain for hours in these walks. In the dead-house the corpses lie upon the bare ground, and were in most cases covered with filth and vermin.

At short intervals in the lanes between the tents wooden boxes are arranged for the reception of the excrements of those patients who are unable to walk to the sinks along the banks of the stream. As a general rule these are not emptied until they are filled with excrements. At all times the emaciated men, worn down to skeletons by diarrhea and dysentery, are seen evacuating their bowels into these filthy receptacles, which from their wooden structure can never be kept properly cleansed. Notwithstanding these objectionable arrangements, the surgeons, from the limited resources of the purveying department of the Confederate States, appear to be unable to devise any better mode of collecting and removing the excrements of the sick. Metallic or earthenware vessels would be far preferable, but it is said that they cannot be obtained at the present time. Time and again I saw patients who apparently had ample strength to walk to the sinks evacuate their bowels within the tent doors. The whole soil appeared to be saturated with urine and filth of all kinds and emitted a most disgusting odor.

The cooking arrangements are of the most defective character. Four large iron pots, similar to those used for boiling sugar cane, appeared to be the only cooking utensils furnished by the hospital for the cooking of near 2,000 men, and the patients were dependent in great measure upon

their own miserable utensils. They were allowed to cook in the tent doors and in the lanes, and this was another source of filth and another favorable condition for the generation and multiplication of flies and other vermin.

The air of the tents was foul and disagreeable in the extreme, and in fact the entire grounds emitted a most nauseous and disgusting smell.

I entered nearly all the tents and carefully examined the cases of interest, and especially the causes of gangrene, upon numerous occasions during the prosecution of my pathological inquiries at Andersonville, and therefore enjoyed every opportunity to judge correctly of the hygiene and police of the hospital.

There appeared to be almost absolute indifference and neglect on the part of the patients of personal cleanliness; their persons and clothing in most instances, and especially of those suffering with gangrene and scorbutic ulcers, were filthy in the extreme and covered with vermin. It was too often the case that patients were received from the stockade in a most deplorable condition. I have seen men brought in from the stockade in a dying condition, begrimed from head to foot with their own excrements, and so black from smoke and filth that they resembled negroes rather than white men. That this description of the stockade and hospital has not been overdrawn will appear from the reports of the surgeons in charge appended to this report. I have drawn up for the consideration of the Surgeon-General and the use of the Medical Department of the Confederate States the following tables, presenting a consolidated view of the diseases of the Federal prisoners confined at Andersonville, and also of the Confederate forces acting as a guard around the stockade and hospital:

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864.

(Consolidated from the records on file in office of post surgeon.)

Disease.	March.		April.		May.		June.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Febris congestiva	.....	.....	5	.....	1	1	.....	2
Febris continua communis	54	10	12	.....	50	.....	10	.....
Febris continua simplex	.....	.....	.....	.....	.....	.....	.....	.....
Febris intermittens quotidiana	.....	.....	10	4	481	9	205	7
Febris intermittens tertiana	35	2	24	.....	385	.....	192	.....
Febris intermittens quartana	.....	.....	.....	.....	114	.....	25	.....
Febris remittens	37	5	10	1	181	9	240	13
Febris biliosa	.....	.....	.....	.....	.....	.....	.....	.....
Febris typhoides	67	28	56	18	92	17	18	32
Febris typhus	.....	.....	.....	.....	.....	.....	.....	.....
Febris typhus icteroides	.....	.....	.....	.....	.....	.....	.....	.....
All other diseases of this class	.....	.....	10	.....	.....	.....	3	.....
Erysipelas	.....	.....	5	2	26	1	5	1
Erysipelas idiopathic	.....	.....	.....	.....	.....	.....	.....	.....
Rubeola	10	.....	6	1	40	3	8	2
Variola	16	3	36	16	3	5	1	5
Varioloides	12	2	37	18	10	5	.....	5
All other diseases of this class	.....	.....	.....	.....	1	.....	12	.....
Colica	10	.....	1	.....	36	.....	41	.....
Constipatio	23	.....	3	.....	140	.....	237	1
Dysenteria acuta	143	29	133	49	870	93	540	98
Dysenteria chronica	42	12	51	27	407	8	271	5
Diarrhœa acuta	386	51	916	220	1,729	251	1,966	330
Diarrhœa chronica	95	26	233	115	608	19	510	447
Dyspepsia	15	.....	1	.....	40	.....	1	.....
Enteritis	.....	.....	.....	.....	.....	.....	.....	.....
Gastritis	.....	.....	.....	.....	10	.....	.....	.....
Hæmatemesis	.....	.....	.....	.....	.....	.....	10	.....
Hepatitis acuta	.....	.....	.....	.....	20	1	.....	.....

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864—Continued.

Disease.	March.		April.		May.		June.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Hepatitis chronica			2		14			
Icterus	5		5		8		12	
Parotitis	6		4		18		8	
Pharyngitis								
Stomatitis mercurialis								
Glossitis								
Splenitis								
Nephritis								
Tonsilitis	10				17		8	
All other diseases of this class					32		58	
Asthma					7		3	
Bronchitis acuta	73	11	55	6	101	7	133	9
Bronchitis chronica	15		21		47		30	1
Catarrhus epidemicus					4			
Catarrhus	79		88	2	308	1	466	3
Catarrhus simplex								
Laryngitis	20		20	2	7		2	1
Phthisis								
Phthisis pulmonalis	24	8	12		16	4	4	4
Pleuritis	28	9	19	4	167	5	97	3
Pneumonia	102	65	108	58	103	28	21	41
All other diseases of this class			10	1	1			1
Anæmia	25		50				2	
Endocarditis								
Varicocele					4			
Apoplexia								
Cephalalgia					6			
Cerebritis								
Epilepsia								1
Ictus solis							1	1
Mania			5					
Meningitis								
Neuralgia					10		13	
Paralysis	1		1		2	1		
All other diseases of this class						1		
Bubo simplex								
Bubo specific								
Bubo syphiliticum					6		10	
Calculus			1		1		2	
Cystitis	5				1			
Diabetes			1		4			
Diabetes mellitus								
Marasmus								
Gonorrhea	1				36		32	
Gonorrhea simplex								
Gonorrhea virulenta								
Ischuria vera								
Ischuria et dysuria	5				12		2	
Nephritis	7		6	1	29	1	5	
Orchitis					17		1	
Strictura urethra					1		2	
Phymosis								
Iritis syphiliticum								
Syphilis primitiva	1		2				6	
Syphilis consecutiva			5	1	20		14	
All other diseases of this class			1	1	12		8	
Anasarca	28	2	32	6	233	50	248	71
Ascites	8		6	2	10	1	16	
Hydrocele			6	1	4			
Hydropericardium								
Hydrothorax			1	1	1			
All other diseases of this class			50				2	
Lumbago					5		3	
Rheumatismus acutus	27		10	5	122	5	88	2
Rheumatismus chronicus	15		20		101		31	
All other diseases of this class			5	1				
Abscessus							3	
Abscessus acutus								
Scabies								
Fistula	1		5		3			
Phagedæna gangrænosa								
Ulcus			20		128		41	
All other diseases of this class					57			
Contusia							4	
Fractura					2			
Hernia							3	
Vulnus puncturi								

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864—Continued.

Disease.	March.		April.		May.		June.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Vulnus sclopeticum	10		53	1	52	3	22	1
Vulnus punctura sclopeticum								
All other diseases of this class					10			
Amaurosis					4		1	
Hemeralopia			20		26			
Iritis							3	
Ophthalmia	6		1		27		7	
All other diseases of this class					10			
Otitis							2	
Otorrhœa					2			
Surditas					2			
Debilitas	34	3	66	12	139	10	80	37
Diphtheria								1
Hæmorrhois	8		5		54		15	
Morbi cutis	16		10		57		43	
Odontalgia					11		2	
Prolapsus ani					14		1	
Anæmia								
Scrubies					26		1	
Scorbutus	15		50		1,221	14	2,097	68
Struma								
Scrofula	5				3		5	
Asphyxia								
By hanging								
Toxicum							3	
Tumores					10		3	
Vermes	5							
Morbi varii		17	100		6	3	9	8
Total	1,530	283	2,425	576	8,583	708	7,968	1,201

Disease.	July.				August.				Total.	
	Original admissions.		Readmissions.		Original admissions.		Readmissions.			
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Febris congestiva		1	1	1	1	1			8	6
Febris continua communis									126	10
Febris continua simplex	15				140	4			155	4
Febris intermittens quotidiana	150	7			324	29			1,170	56
Febris intermittens tertiana	139								775	2
Febris intermittens quartana	56								195	
Febris remittens									468	28
Febris biliosa	160	15			190	12			350	27
Febris typhoides	20	39	19	19	20	32			472	185
Febris typhus										
Febris typhus icterodes										
All other diseases of this class									13	
Erysipelas									36	4
Erysipelas idiopathic	12						1	1	13	1
Rubeola	3						1	1	68	7
Variola		1	1	1					57	31
Varioloides		3	3	3		1			62	39
All other diseases of this class									13	
Colica	14								102	
Constipatio	810	1			557	7			1,770	9
Dysenteria acuta	999	215			859	364			3,544	848
Dysenteria chronica	180	27			187	72			1,138	151
Diarrhea acuta	2,796	517			1,932	742	50	50	9,775	2,161
Diarrhea chronica	349	330			470	230	50	50	2,315	1,369
Dyspepsia	5								62	
Enteritis							100	50	100	50
Gastritis	40				100	1			150	1
Hæmatemesis									10	
Hepatitis acuta	4				9	3			33	4
Hepatitis chronica									16	
Icterus	62	4			31	8			123	12

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864—Continued.

Disease.	July.				August.				Total.	
	Original admissions.		Readmissions.		Original admissions.		Readmissions.			
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
Parotitis	2	.....	.....	.....	.....	.....	.....	.....	38	.....
Pharyngitis	.....	.....	.....	.....	1	.....	.....	.....	1	.....
Stomatitis mercurialis	2	.....	.....	.....	20	.....	.....	.....	22	.....
Glossitis	18	.....	.....	.....	.....	.....	.....	.....	18	.....
Splenitis	.....	.....	.....	.....	1	.....	.....	.....	1	.....
Nephritis	15	.....	.....	.....	18	2	.....	.....	33	2
Tonsilitis	.....	.....	.....	.....	.....	.....	.....	.....	35	.....
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	90	.....
Asthma	8	.....	.....	.....	.....	.....	.....	.....	18	.....
Bronchitis acuta	179	12	.....	.....	229	16	.....	.....	770	61
Bronchitis chronica	25	2	.....	.....	.....	.....	.....	.....	138	3
Catarrhus epidemicus	.....	.....	.....	.....	.....	.....	.....	.....	4	.....
Catarrhus	.....	.....	.....	.....	.....	.....	.....	.....	941	6
Catarrhus simplex	531	6	.....	.....	428	14	.....	.....	959	20
Laryngitis	.....	.....	.....	.....	23	.....	.....	.....	72	3
Phthisis	1	7	6	6	51	4	.....	.....	58	17
Phthisis pulmonalis	.....	.....	.....	.....	.....	.....	.....	.....	56	16
Pleuritis	12	5	.....	.....	128	6	.....	.....	451	32
Pneumonia	28	29	.....	.....	166	15	.....	.....	528	234
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	11	2
Anæmia	.....	.....	.....	.....	.....	.....	.....	.....	77	.....
Endocarditis	1	.....	.....	.....	1	.....	.....	.....	2	.....
Varicocele	.....	.....	.....	.....	.....	.....	.....	.....	4	.....
Apoplexia	1	.....	.....	.....	97	.....	.....	.....	98	.....
Cephalalgia	.....	.....	.....	.....	.....	.....	.....	.....	6	.....
Cerebritis	.....	.....	.....	.....	.....	.....	75	50	75	50
Epilepsia	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Ictus solis	1	1	.....	.....	.....	.....	51	51	53	53
Mania	.....	.....	.....	.....	.....	.....	.....	.....	5	.....
Meningitis	.....	.....	.....	.....	2	2	.....	.....	2	2
Neuralgia	9	.....	.....	.....	1	.....	.....	.....	33	.....
Paralysis	1	.....	.....	.....	.....	.....	.....	.....	5	1
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Bubo simplex	1	.....	.....	.....	.....	.....	.....	.....	1	.....
Bubo specific	13	.....	.....	.....	.....	.....	.....	.....	13	.....
Bubo syphiliticum	.....	.....	.....	.....	.....	.....	.....	.....	16	.....
Calculus	.....	.....	.....	.....	10	.....	.....	.....	14	.....
Cystitis	.....	.....	.....	.....	.....	.....	.....	.....	6	.....
Diabetes	.....	.....	.....	.....	.....	.....	.....	.....	5	.....
Diabetes melitus	.....	.....	.....	.....	7	.....	.....	.....	7	.....
Marasmus	.....	.....	.....	.....	.....	.....	53	53	53	53
Gonorrhea	.....	.....	.....	.....	.....	.....	.....	.....	69	.....
Gonorrhea simplex	.....	.....	.....	.....	18	.....	.....	.....	18	.....
Gonorrhea virulenta	20	.....	.....	.....	.....	.....	.....	.....	20	.....
Ischuria vera	5	.....	.....	.....	.....	.....	.....	.....	5	.....
Ischuria et dysuria	.....	.....	.....	.....	.....	.....	.....	.....	19	.....
Nephritis	.....	.....	.....	.....	.....	.....	.....	.....	47	2
Orchitis	4	.....	.....	.....	.....	.....	.....	.....	22	.....
Strictura urethra	3	.....	.....	.....	1	.....	.....	.....	7	.....
Phymosis	.....	.....	.....	.....	3	.....	.....	.....	3	.....
Iritis syphiliticum	1	.....	.....	.....	5	.....	.....	.....	6	.....
Syphilis primiteva	2	.....	.....	.....	15	.....	.....	.....	26	.....
Syphilis consecutiva	7	.....	.....	.....	.....	.....	.....	.....	46	1
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	21	1
Anasarca	304	66	.....	.....	665	120	.....	.....	1,510	315
Ascites	5	.....	.....	.....	1	1	.....	.....	46	4
Hydrocele	1	.....	.....	.....	.....	.....	.....	.....	11	1
Hydropericardium	.....	.....	.....	.....	.....	.....	50	24	50	24
Hydrothorax	.....	.....	.....	.....	.....	.....	.....	.....	2	1
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	52	.....
Lumbago	4	.....	.....	.....	.....	.....	.....	.....	12	.....
Rheumatismus acutus	171	2	.....	.....	253	4	.....	.....	671	18
Rheumatismus chronicus	14	.....	.....	.....	2	2	.....	.....	183	2
All other diseases of this class	.....	.....	.....	.....	.....	.....	.....	.....	5	1
Abscessus	.....	.....	.....	.....	.....	.....	.....	.....	3	.....
Abscessus acutus	2	1	.....	.....	2	.....	.....	.....	4	1
Scabies	62	.....	.....	.....	14	.....	.....	.....	76	.....
Fistula	.....	.....	.....	.....	.....	.....	.....	.....	9	.....
Phagedæna gangrænosa	3	.....	.....	.....	54	13	.....	.....	57	13
Ulcus	29	.....	.....	.....	12	.....	.....	.....	230	.....

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864—Continued.

Disease.	July.				August.				Total.	
	Original admissions.		Readmissions.		Original admissions.		Readmissions.			
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
All other diseases of this class									57	
Contusia	4				3				11	
Fractura									2	
Hernia									3	
Vulnus puncturi					3				3	
Vulnus sclopeticum									137	5
Vulnus punctura sclopeticum	36	10			36	6			72	16
All other diseases of this class									10	
Amaurosis									5	
Hemeralopia									46	
Iritis									3	
Ophthalmia	27								68	
All other diseases of this class									10	
Otitis									2	
Otorrhœa									2	
Surditas									2	
Debilitas	112	35			446	71			875	168
Diphtheria	2	4	2	2					4	7
Hæmorrhois	18				15				115	
Morbi cutis									126	
Odontalgia									13	
Prolapsus ani									15	
Anæmia	1				2	2			3	2
Scrubies									27	
Scorbutus	3,092	195			3,026	722			9,501	999
Struma	1								1	
Scrofula									13	
Asphyxia	1								1	
By hanging		6								6
Toxicum	6								9	
Tumores									13	
Vermes									5	
Morbi varii	25	203	178	178	156	156			474	565
Total	10,624	1,742	210	210	10,915	2,662	431	330	42,686	7,712

GENERAL SUMMARY.

Date.	Remaining at last report.			Taken sick during month.	Aggregate.	Returned to duty (stockade).	Died.	Remaining.			Mean strength.		Number treated.	Deaths.	Ratio per 1,000.	
	Sick.	Convalescent.	Total.					Sick.	Convalescent.	Total.	Enlisted men.	Total.			Cases.	Deaths.
1864.																
March				1,530		353	283	500	136	636	7,500	7,500	1,530	283	204	37
April	500	136	636	2,425	3,061	1,463	576	468	554	1,022	10,000	10,000	3,061	576	306	57
May	468	554	1,022	8,583	9,605	6,276	708	1,150	1,471	2,621	15,000	15,000	9,605	708	640	47
June	1,150	1,471	2,621	7,969	10,590	5,311	1,201			4,078	22,291	22,291	10,590	1,201	475	53

Date.	Remaining at last report.		Taken sick or wounded during the month.	Supervening dis. cases.	Aggregate.	Returned to duty.	Died.	Remaining.		
	Sick.	Total.						Sick.	Wounded.	Total.
1864.										
July	4,078	4,078	10,624	210	14,912	6,548	1,742	6,386	26	6,412
August	6,386	6,412	10,915	431	17,758	9,443	2,992	4,836	56	4,892

Report of sick and wounded Federal prisoners at Camp Sumter, Andersonville, Ga., from 1st of March to 31st of August, 1864—Continued.

GENERAL SUMMARY—Continued.

Date.	Mean strength.		Enlisted men.				Average number in sick report.		
			Sick.		Wounded.				
	Enlisted men.	Total.	Cases.	Deaths.	Cases.	Deaths.	In hospital.	In quarters.	Total.
1864.									
July	29,030	29,030	10,588	1,732	36	10	1,237	4,574	5,311
August	32,899	32,899					1,934	3,933	5,868

Report of the sick and wounded amongst the Confederate troops performing guard duty at Camp Sumter, Andersonville, Ga., for the months of July and August, 1864.

(Consolidated from the original reports on file in the office of the post surgeon. Records incomplete, extending only to the months of July and August.)

Disease.	Field reports.		Sumter Hospital.	
	Cases.	Deaths.	Cases.	Deaths.
Febris continua simplex	44			
Febris continua communis	7			
Febris intermittens quotidiana	84		13	
Febris intermittens tertiana	39		12	
Febris intermittens quartana	17			
Febris remittens	260			
Febris remittens biliosa	62		94	3
Febris intermittens typhoides	38	3	64	35
Erysipelas	11			
Erysipelas, idiopathic	6		1	
Rubeola	260		82	
Cholera morbus	2			
Cholera, sporadic	1		1	
Colica	18			
Constipatio	54			
Diarrhea acuta	405		26	3
Diarrhea chronica	35		22	6
Dysenteria acuta	83		9	4
Dysenteria chronica			4	2
Dyspepsia	7			
Hepatitis acuta	8			
Hepatitis chronica	5			
Icterus	21		1	
Parotitis	16			
Stomatitis mercurialis	6			
Glossitis	29			
Gastritis	5			
Enteritis	11			
Enteritis mucosa	13			
Tonsilitis	3			
Asthma	4			
Bronchitis acuta	11		4	
Catarrhus	68			
Catarrhus simplex	8		1	
Hæmoptysis	1			
Laryngitis	1		1	
Phthisis	2			
Phthisis pulmonalis	1			
Pneumonia	6		4	1
Tracheitis	1			
Cystitis	4			
Anæmia				
Scorbutus	1		1	
Epilepsia	2		1	
Meningitis	1		1	1
Cerebro spinal meningitis	4		1	1

Report of the sick and wounded amongst the Confederate troops performing guard duty at Camp Sumter, Andersonville, Ga., for the months of July and August, 1864—Contd.

Disease.	Field reports.		Sumter Hospital.	
	Cases.	Deaths.	Cases.	Deaths.
Irritatio spinales	16			
Neuralgia	16		1	
Paralysis	2			
Gonorrhea	7			
Gonorrhea simplex	6			
Gonorrhea virulenta	2			
Nephritis	39			
Nephritis albuminosa	3			
Orchitis	4			
Varicocele	1			
Syphilis primiteva	6		1	
Hæmatocele				
Hydrothorax			1	
Hæmatemesis	1			
Fistula in ano	1			
Anasarca	11			
Ascites	6		3	
Lumbago	5			
Rheumatismus acutus	21		4	
Rheumatismus chronicus	24		1	
Abscessus	8			
Abscessus acutus	6			
Paronychia	1			
Phlegmon	10			
Ulcus	2		2	
All other diseases of this class	1			
Contusio	6		1	
Fractura simplex				
Cephalalgia	16			
Mania	1			
Hypertrophia cordis	1			
Diabetes melitus				
Otalgia	14			
Strictura urethra	5			
Phymosis	1			
Hernia	3			
Hernia inguinalis	8		2	
Vulnus incisum	1			
Vulnus punctura	2			
Vulnus punctura sclopeticus			3	
All other diseases of this class	1			
Ophthalmia	7			
Debilitas	60		5	
Epistaxis	5			
Hæmorrhois	40			
Scabies	83			
Nostalgia	3			
Scrofula	1			
Vermes	2			
Total	2,127	6	367	56

Per cent. of deaths amongst cases treated in the field during July and August, 0.28; per cent. of deaths amongst cases treated in Sumter Hospital July and August, 15.2. One death in 6.5 cases treated in hospital.

Report of the sick and wounded amongst the Confederate troops performing guard duty at Camp Sumter, Andersonville, Ga., for the months of July and August, 1864—Contd.

GENERAL SUMMARY.

Date.	Remaining last report.			Taken sick during the month.	Aggregate.	Sent to general hospital.	Returned to duty.	On furlough.	Discharged.	Died.	Remaining.			Mean strength.			Number treated.	Deaths.	Ratio per 1,000.	
	Sick.	Convalescent.	Total.								Sick.	Convalescent.	Total.	Officers.	Enlisted men.	Total.			Cases.	Deaths.
1864.																				
July *a*	114	....	....	425	734	33	547	26	....	2	126	....	734	45	684	729	620	2	113	....
August *a*	....	....	....	455	....	31	356	21	2	....	45	....	455	45	756	801	455	....	568	....
July *b*	45	....	45	152	197	13	130	4	1	2	47	....	47	42	423	475	152	2	....	....
August *b*	47	....	47	130	177	21	86	1	....	4	15	50	65	43	582	625	120	4	208	6
July *c*	38	....	38	254	292	24	64	....	....	....	204	....	204	45	974	1,019	254	....	....	....
August *c*	70	....	70	215	285	9	242	....	....	....	34	....	34	46	989	1,033	276	....	28	....
July *d*	74	....	74	133	207	51	55	11	1	1	88	....	88	45	650	695	133	1	....	....
August *d*	50	38	88	229	317	17	230	15	1	1	40	13	53	42	750	792	229	1	289	$1\frac{143}{37}$
July *e*	18	....	....	57	78	2	43	5	....	....	28	....	28	9	225	234	57	....	....	....
August *e*	28	....	28	30	58	....	42	5	....	....	11	....	11	10	224	234	55	....	230	....
July *f*	114	....	....	425	734	33	547	26	....	2	126	....	734	45	684	729	622	....	....	....
August *f*	14	....	14	62	76	....	47	2	....	....	13	....	13	4	140	144	62	....	430	....
July *g*	....	....	....	248	250	2	82	43	....	28	91	....	92	....	....	.....	274	....	....	....
August *g*	91	....	92	110	212	1	62	37	....	28	72	2	74	....	....	.....	202	....	....	....

a First Regiment Georgia Reserves.
b Second Regiment Georgia Reserves.
c Third Regiment Georgia Reserves.
d Fourth Regiment Georgia Reserves.
e Fifty-fifth Georgia Detachment.
f Florida Light Artillery.
g Sumter Hospital.

We will examine first the consolidated report of the sick and wounded Federal prisoners: During six months from the 1st of March to the 31st of August, 42,686 cases of diseases and wounds were reported. No classified record of the sick in the stockade was kept after the establishment of the hospital without the prison. This fact, in conjunction with those already presented relating to the insufficiency of medical officers, and the extreme illness and even death of many prisoners in the tents in the stockade, without any medical attention or record beyond the bare number of the dead, demonstrate that these figures, large as they appear to be, are far below the truth. As the number of prisoners varied greatly at different periods, the relations between those reported sick and well, as far as these statistics extend, can best be determined by a comparison of the statistics for each month.

The following table presents the mean strength, the total diseases and deaths, and the total cases and deaths of the most fatal diseases:

Table illustrating the mean strength, total cases of disease and death, and the relations of the cases and deaths of the most fatal diseases amongst the Federal prisoners confined at Andersonville, Ga.

(Consolidated from the original reports on file in the office of the surgeon in charge of the post of Andersonville, by Joseph Jones, surgeon, Provisional Army, C. S.)

Date.	Mean strength of Federal prisoners.	Total taken sick or wounded during the month.	Ratio of sick to well. One sick in—	Total deaths from all causes.	Per cent. of deaths to sick entered on sick reports during month.	One death in so many sick and wounded prisoners.	Per cent. of deaths to mean strength, sick and well.
1864.							
March	7,500	1,530	4.9	283	18.42	26.4	3.77
April	10,000	2,425	4.08	576	23.7	17.3	5.76
May	15,000	8,583	1.7	708	8.2	21.18	4.72
June	22,291	7,968	2.8	1,201	15.0	18.5	5.38
July	29,030	10,834	2.6	1,952	18.1	14.8	6.64
August	32,899	11,346	2.9	2,992	26.3	10.9	9.09
Total	.....	42,686	.....	7,712	.....	.....	.....

Table illustrating the mean strength, total cases of disease and death, etc.—Continued.

Date.	Typhoid fever.		Congestive fever.		Intermittent fever, quotidiana.		Intermittent fever, tertiana.		Intermittent fever, quartana.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
1864.										
March	67	28	.....	.....	.....	.....	35	2	.....	.....
April	56	18	5	.....	10	4	24	.....	.....	.....
May	92	17	1	1	481	9	385	.....	114	.....
June	18	32	.....	2	205	7	192	.....	25	.....
July	39	58	1	2	150	7	139	.....	56	.....
August	200	32	1	1	324	29	.....	.....	.....	.....
Total	472	185	8	6	1,170	56	775	2	195	.....

Date.	Remittent fever.		Bilious remittent fever.		Pneumonia.		Dropsy.		Scurvy.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
1864.										
March	37	5	.....	.....	102	65	28	2	15	.....
April	10	1	.....	.....	108	58	32	6	50	.....
May	181	9	.....	.....	103	28	233	50	1,221	14
June	240	13	.....	.....	21	41	248	71	2,097	68
July	.....	.....	160	15	28	27	304	66	3,092	195
August	.....	.....	190	12	116	15	665	120	3,026	722
Total	468	28	350	27	478	234	1,510	315	9,501	999

Date.	Acute diarrhea.		Chronic diarrhea.		Acute dysentery.		Chronic dysentery.		Morbi varii.	
	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.	Cases.	Deaths.
1864.										
March	386	51	95	26	143	29	42	12	.....	17
April	916	220	235	115	133	49	51	27	100	.....
May	1,729	251	608	171	870	93	407	8	6	3
June	1,966	330	510	447	540	98	271	5	9	8
July	2,796	517	349	330	999	215	180	27	203	381
August	1,982	792	520	280	859	364	187	72	156	156
Total	9,775	2,161	2,317	1,369	3,544	848	1,138	151	474	565

During this period of six months no less than 565 deaths are recorded under the head of morbi varii. In other words, these men died without having received sufficient medical attention for the determination of even the name of the disease causing death.

During the month of August fifty-three cases and fifty-three deaths are recorded as due to marasmus. Surely this large number of deaths must have been due to some other morbid state than slow wasting. If they were due to improper and insufficient food, they should have been classed accordingly, and if to diarrhea or dysentery or scurvy, their classification should in like manner have been explicit.

We observe a progressive increase of the ratio of mortality from 3.77 per cent. in March to 9.09 per cent. of mean strength, sick and well, in

August. The ratio of mortality continued to increase during September, for, notwithstanding the removal of one-half the entire number of prisoners during the early portion of this month, 1,767 deaths were registered from September 1 to 21, and the largest number of deaths upon any one day occurred during this month, on the 16th, viz, 119.

The entire number of Federal prisoners confined at Andersonville was about 40,611, and during the period of near seven months, from February 24 to September 21, 9,479 deaths were recorded; that is, during this period near one-fourth, or, more exactly, one in 4.2, or 23.3 per cent., terminated fatally. This increase of mortality was due in great measure to the accumulation of the sources of disease, as the increase of excrements and filth of all kinds and the concentration of noxious effluvia, and also to the progressive effects of salt diet, crowding, and the hot climate. Surrounded by these depressing agencies, the postponement of the general exchange of prisoners, and the constant diminution of all hopes of deliverance through the action of their own Government weighed down in the dust the already desponding spirits and destroyed the moral energies so necessary to the successful strife against the elements and the ravages of disease. Homesickness and the disappointment of daily longings for release appeared to be as potent agencies in the destruction of the Federal prisoners as the physical causes of actual disease.

Malarial fever.—During this period of six months, from the 1st of March to the 1st of September, the deaths from malarial fever amounted to only 113, whilst the cases numbered 2,958.

Continued fevers.—No cases of typhus fever were reported, whilst 472 cases and 185 deaths of typhoid fever are recorded. In the latter disease the percentage of deaths was 39.1, or one death in 2.55 cases.

In the Confederate forces guarding the Federal prisoners during the months of July and August, with a mean strength of 3,755 officers and men, 102 cases of typhoid fever with 38 deaths were recorded. The ratio of deaths to cases of typhoid fever was very nearly as great amongst the Confederate troops as amongst the Federal prisoners, being 1 death in 2.68 cases, or 37.2 per cent. of deaths. The ratio of cases of typhoid fever to the mean strength amongst the Confederate forces was, however, nearly three times as great as amongst the Federal prisoners, being in the former in the ratio of 1 case of typhoid fever in 36.8 men, or 2.71 per cent. of the entire command, and in the latter 1 case of typhoid fever in 86 Federal prisoners, or 1.16 per cent. of the mean strength. The greater prevalence of typhoid fever amongst the Confederate troops is still further shown by the fact that these statistics relate to only two months, whilst those of the Federal prisoners embrace a period of six months. This difference appears to be due in a measure to the fact that the Confederate forces were composed of reserves between the ages of sixteen and eighteen and forty-five and fifty-five years, and had been but recently collected together for service. They were raw troops who had not as yet passed through the diseases of camp. On the other hand, the Federal prisoners had passed through most of the diseases incident to raw troops, as measles and typhoid fever. The deaths from typhoid fever amongst the Confederate troops were said to have been even greater during the months preceding July. These records were not on file in the office of the surgeon of the post, and I was unable to verify the statement of the great mortality amongst the Confederate guard during the earlier months. I was also informed that the mortality was far greater when the Confederate soldiers were camped immediately around the stockade.

They are said to have died at this time almost as rapidly as the Federal prisoners. At the present time they occupy the hills at some distance from the stockade.

It is also worthy of note that the various forms of malarial fever prevailed more extensively amongst the Confederate forces than amongst the Federal prisoners, for during the period of only two months, July and August, 581 cases were reported, or 15.4 per cent. of the mean strength of the Confederate troops, whilst only 7.2 per cent. of the mean strength of the Federal prisoners was affected by malarial fever during a period of six months. The Federal prisoners were incarcerated in a hot and even, to a certain extent, malarious climate. They were, to a great extent, unaccustomed to either the extreme heat or the malaria of the swamps. The Confederate forces, on the other hand, were natives of the soil and had been subjected to these influences from birth. It would have been but reasonable to suppose that the former would have suffered more severely from malarial fever than the latter. We can only account for the comparative immunity of the Federal prisoners on the supposition that the artificial atmosphere created by the immense accumulations of filth and human excrements within and around the stockade and hospital counteracted or destroyed in some unknown manner the malarial poison.

The emanations of the stockade and Federal prison hospital appeared to affect even the Confederate troops, and especially when, as in the first two or three months after the establishment of the prison, they were encamped immediately around the walls. I was informed by the Confederate surgeons that when the Confederate troops were encamped within a short distance of the Federal prisoners the mortality was far greater than during the months of July and August, after their removal to the adjoining hills from half to three-quarters of a mile off. I had selected a commanding eminence on the same hill immediately overlooking the stockade upon which to pitch my tent during the prosecution of my labors in the prison and hospital, but was induced to move my quarters across the railroad to a shady hill upon the advice of one of the surgeons, who informed me that the Confederate regiment encamped upon the spot originally selected had suffered heavily with a fatal form of continued fever, and had been compelled to remove to an adjoining hill.

Heavy mortality amongst the Confederate troops.—During the months of July and August 2,494 cases of disease were recorded amongst the Confederate troops; that is, 66.4 per cent. of the entire command was entered upon the sick-list during this short period, and the loss by death, although far less than amongst the Federal prisoners, still amounted to 2.3 per cent. If the same mortality continued throughout the entire year the command would lose by death alone 13.2 per cent. of the mean strength. Such mortality would insure the complete obliteration of a command by disease alone in the short period of about seven years and seven months.

Diarrhea and dysentery.—During the six months 12,090 cases and 3,530 deaths of acute and chronic diarrhea, and 4,682 cases and 999 deaths of acute and chronic dysentery were recorded. The cases of diarrhea and dysentery together numbered 16,772, or nearly one-half the total of sick and wounded. The deaths caused by these two diseases are recorded at 4,529, or in other words, these diseases caused more than one-half, or more exactly, 58.7 per cent. of all the deaths. These figures are below the truth. As far as my personal examinations extended, almost every prisoner was affected more or less with

diarrhea or dysentery. The former disease was the most prevalent. These diseases of the bowels appeared to be due in great measure to the long continued use of salt meat, and of coarse, unbolted corn bread, and improperly cooked food, and to the foul emanations from the all-abounding filth and excrements.

According to the official regulations, the rations issued to Federal prisoners were the same as those furnished to Confederate soldiers, viz, beef, one pound, or bacon, one-third of a pound; corn-meal, one pound and a fourth, with an occasional issue of bread (wheat), rice, molasses, and peas.

If the Federal prisoners did not receive the rations to which they were entitled by the act of the Confederate Government, the deficiencies and irregularities were due either to the impossibility of securing regular supplies of provisions in the impoverished condition of the Confederacy, with the imperfect lines of communication, dilapidated but crowded railroad transportation, and with a currency depreciated to an almost nominal value, or to frauds committed by the officers in immediate charge of the subsistence department of the prisoners, and by the Federal prisoners themselves detailed to distribute rations within the stockade and hospital. Irregularities in the supply of provisions to the main armies of the Confederacy are daily occurring. The men are often upon one-quarter rations, and upon some occasions have subsisted during severe marches and constant fighting upon little else than parched corn. The stealing of rations by those detailed to distribute them in the prison and hospital is a subject of continual complaint on the part of the prisoners themselves. The corn bread baked and issued to the Federal prisoners consisted of unbolted corn-meal, and these men, who have been accustomed chiefly to wheat bread, could not abide this kind of food. I saw large piles of corn bread, both in the stockade and hospital grounds, which had been thrown away by the prisoners. The husk of the corn was thought to exert an irritant effect upon the intestinal canal. Amidst the immense mass of human excrement, in both the hospital and stockade, I did not see a single molded stool.

The foul exhalations from the innumerable small sinks and deposits of excrements at the very tent doors, as well as from the more extensive deposits in and around the streams, must also without doubt have caused derangement of the intestinal canal, as well as of the general system.

The effects of the diarrhea in reducing the muscular forces appeared to be very gradual. Patients whose flesh was emaciated to such a degree that they resembled living skeletons would still be moving about and preparing their food. In some cases when the discharges from the bowels were checked by a change of diet and by opiates, dropsical effusions took place in the abdomen and lower extremities. The treatment instituted had no beneficial effect whatever, because the necessary diet was not furnished the sick. It was in vain to look for recovery from chronic diarrhea or dysentery when the patient was confined to corn bread, bacon, and beef. The most efficient treatment of these cases would have been with good, fresh milk (combined when necessary with lime water), beef and chicken tea, boiled milk and rice, and alcoholic stimulants. Opium was used in immense quantities in the hospital practice, but with only temporary benefit. It allayed pain, but it did not reach the seat of the evil. I expressed my opinion in no equivocal terms to the medical officers that treatment was useless without a change of diet and a complete alteration of the police and

sanitary regulations, and urged the necessity of procuring for the use of the sick a number of cows, so that a certain and abundant supply of fresh milk might at all times be accessible to the sick.

The results of my post-mortem examinations showed that in many of the cases of diarrhea and dysentery of long standing no treatment whatever would have availed, so thoroughly was the mucous membrane of the intestinal canal diseased. In those cases of diarrhea and dysentery which I examined after death the congestion of the mucous membrane was intense, and was often accompanied with ulceration and mortification. The mortification in many of these cases appeared to be similar in its nature and to be due to the same causes as that form of mortification known as hospital gangrene.

Scurvy.—From the 1st of March to the 1st of September 9,501 cases and 999 deaths were recorded under the head of scorbutus. We also observe during the same period the record of 1,510 cases of anasarca and 315 deaths; also 46 cases of ascites and 4 deaths. It is probable that these cases of anasarca and ascites were caused by the scorbutic condition of the blood, as well as by the deranged condition of the alimentary canal. The large number of deaths set down under the head of morbi varii and marasmus were in like manner due chiefly to diarrhea, dysentery, scurvy, and their various effects.

Notwithstanding that these figures represent nearly one-fourth of the Federal prisoners as suffering with scurvy, the statement is below the truth. During the period of my investigations a much larger proportion than one-fourth of the prisoners were suffering with scurvy, and it appeared that almost every one of the older prisoners was more or less scorbutic.

We have before alluded to the various symptoms manifested by this disease, as the enlargement of the parotid glands, the livid, swollen, spongy, fungoid gums, loose teeth, the dark purple blotches upon the skin, the hard rough feeling of the lower extremities, and the foul spreading scorbutic ulcers. The swelling of the parotid glands in these cases of scurvy was generally a fatal symptom, and in most cases preceded death by only a few days. In this foul atmosphere the scorbutic ulcers, however excited, soon took on the appearance and action of hospital gangrene.

The scurvy was not confined to the prisoners. I saw a well-marked case of scurvy in a full surgeon in charge of one of the wards of the hospital. This fact, taken in conjunction with one already stated, that this disease is at the present time prevailing extensively in the Army of Tennessee, indicates in a strong light the difficulties with which the medical staff had to contend in attempting to combat this disease.

Hospital gangrene.—In the depraved and depressed condition of the systems of these prisoners, in the foul atmosphere of the stockade and hospital, reeking with noxious exhalations, the smallest injury, as a splinter running into a hand or foot, the blistering of the arms or hands in the hot sun, or even the abrasions of the skin in scratching a mosquito bite, were often followed by the most extensive and alarming gangrenous ulceration. In these spreading ulcers of the foot the Federal prisoners almost invariably referred the origin of the gangrene to the filthy mud mixed with human excrements upon the borders of the stream flowing through the stockade. Numerous amputations have been performed in the hospital for gangrene supervening upon slight injuries, as the prick of a splinter, a scratch, or upon scorbutic ulcers.

I endeavored to collect a record of all the cases of amputation for hospital gangrene, with the progress and results, but was unable to

accomplish this desirable result with any degree of accuracy from the almost total absence of records and from the imperfect organization of the hospital. Hospital gangrene was not recognized amongst the list of diseases recorded upon the Confederate sick reports until near the middle of 1864, and hence this disease does not appear in the sick reports of the Federal prisoners at Andersonville prior to July, 1864. During the month of August fifty-four cases and thirteen deaths of phagedæna gangrænosa are reported, whilst during the entire six months 230 cases of ulcers are recorded.

I requested the medical officers on duty in the C. S. military prison hospital to prepare a carefully classified report upon the number and character of the cases of gangrene arising from ulcerations and following gunshot wounds and amputations, together with a statement of the causes of the disease, the condition of the patient, the nature of the treatment, and the results of operations. The records of the individual wards and divisions were so incomplete that the report was imperfect in every respect, and from many of the wards it was impossible to obtain any statistics whatever. I examined in person the wards and patients, and by this means also determined the inaccuracy of the record. Upon this incomplete report 266 cases of hospital gangrene were recorded, with 67 amputations in consequence of the disease and 25 deaths; 120 cases are supervening upon gunshot wounds, and the remainder were reported as gangrenous ulcers arising from the scorbutic and deranged condition of the general system. Twelve cases of gangrenous ulcers are recorded as following vaccination.

These figures are far below the truth. Many cases of gangrenous ulcerations which arose in the hospital were originally entered upon the hospital register under the head of scurvy, diarrhea, dysentery, or some other disease. The plan of entering the diseases upon the hospital register, which supervened upon the original affection, under a distinct head of "Readmitted during the month," was not inaugurated until the month of July, 1864; and, in fact, it was not properly carried into execution until the month of August. The number of deaths due to hospital gangrene, given above, is below the true statement, for in the reports of a number of the wards the final result was not given. After careful inquiry I was convinced that the number of amputations for hospital gangrene had exceeded 100.

Hospital gangrene returned almost invariably after amputation in this infected atmosphere, and in some cases the disease reappeared in the stump within thirty-six hours after the operation. The day before I arrived at Andersonville the cars had run off the track and been crushed against the side of the cut through a hill about three miles from the prison. The cars were loaded with Federal prisoners who were en route for Millen. The accident happened within less than two hours after the prisoners had left the stockade. A number of the prisoners were killed and wounded. I observed the wounded who were brought to the C. S. military prison and noted the first appearance of the gangrene.

In a case of amputation in the middle of the thigh for a compound comminuted fracture of the foot and leg received at this time, the lips of the wound did not unite, and although the patient was a stout Irishman in apparent good health, in the course of twenty-four hours a deep blue line appeared along the edges of the wound, and the skin around the lips of the wound presented an excoriated, blistered appearance. The sutures came away, the edges of the wound gaped open, the flaps of the stump assumed a grayish, greenish, and bluish appearance, and in

a few days the bones of the legs were denuded and projected nearly one inch from the gangrenous mass. In a second case of railroad accident, in which the cap of the knee was simply cut longitudinally to no great depth—the wound appeared to penetrate simply through the skin—gangrene appeared in the wound in the course of fifty hours and progressed rapidly. In another case, amputated in the upper third of the leg for a gangrenous wound following a slight injury of the foot by a splinter, gangrene appeared in twenty-four hours after the operation, and at the end of forty hours the stump presented a blue, mottled appearance up to the kneejoint. In these cases, which became rapidly gangrenous after amputation, no pus was formed and coagulable lymph was thrown out to a very limited extent, and the discharges assumed a thin, sanious character.

The exhalations from the hospital and stockade appeared to extend their effects to a considerable distance outside of these localities. Thus the Confederate soldiers guarding the prison, who did not enter the stockade, but who only stood guard in the sentry boxes along the top of the stockade, were in several instances attacked with hospital gangrene, as will be seen from the following case, which I examined and recorded in the general hospital (Sumter Hospital) for Confederate soldiers, Andersonville, Ga., September 22, 1864:

Thomas J. Cole, private, Third Regiment Georgia Reserves, Company H, age sixteen, arrived at Andersonville on the 20th of July. Was ordered to guard prisoners at the stockade. Performed guard duty every third day, two hours on and four hours off during the twenty-four hours. Before leaving home received a slight scratch on the side of the left foot below the ankle. This boy had not been accustomed to wear shoes at home, and on the way to Andersonville the shoes bruised and inflamed the small injury. This small abrasion did not heal after the commencement of his duties as a soldier at Andersonville. It did not, however, give him any special trouble or appear inflamed until about the 1st of September, three weeks ago, and forty-two days after his arrival at this post. Up to this time this young recruit had never been inside the stockade, and had never stood guard around or within the hospital inclosure. On the 4th of September the patient was compelled to quit duty, and on the 12th instant (ten days ago) he was transferred to the Confederate general hospital. At this time the gangrenous spot was not larger than a silver half dollar, and presented an inflamed areolar in the sound skin, elevated everted edges, and elevated, pulpy, ragged, greenish and grayish central mass. Up to the present time the grangrene has spread rapidly, and the wound now presents a large, fungous, fetid mass, three or four inches in diameter. Hemorrhage continually takes place from numerous small eroded blood vessels. Several smaller gangrenous spots are visible upon the leg. The ankle joint is exposed. The constitutional symptoms are well marked in this case. Last night when I examined him he had a hot fever with rapid pulse, pale, anæmic, sallow complexion. This morning he has less heat of surface and the pulse is less frequent, but still there is a feverish excitement, and he is very nervous and weak; cries like a child when his wound is touched even in the gentlest manner. Bowels loose.

In this Confederate hospital I also observed a case of amputation at the lower third of the thigh, the history of which was similar to that of the case just given. This soldier had suffered for several years with a small indolent ulcer of the foot. After coming to Andersonville and performing guard duty for several weeks this ulcer became gangrenous, and the parts were so rapidly and extensively disorganized and the

bones denuded of muscles that amputation was deemed necessary. At the time that I examined this case he was isolated in a tent. After the amputation gangrene reappeared in the stump, but the use of nitric acid and the constitutional treatment with quinine and tincture and muriate of iron arrested the progress of the disease and the stump is now suppurating. The pus, however, is thin, unhealthy, and offensive, and the constitutional symptoms are unfavorable—weak, feeble, rapid pulse, hectic flush on cheek, sallow, unhealthy, leaden hue of complexion, loose bowels, no appetite, depressed spirits.

Various inquiries were addressed to the medical officers relating to the most important diseases, and especially to hospital gangrene prevailing amongst the Federal prisoners. I received but one communication to my written inquiries. The Surgeon-General will find this in the appendix containing documents connected with my observations upon the diseases of the Federal prisoners confined in Camp Sumter, Andersonville, attached to this portion of my labors.*

I also instituted a series of post-mortem examinations, designed to illustrate and determine the true causes of the great mortality amongst the Federal prisoners.

The following conclusions from these and the preceding investigations, relating in large measure to the origin and nature of hospital gangrene, are respectfully submitted to the consideration of the Surgeon-General.

CONCLUSIONS.

First. The great mortality amongst the Federal prisoners confined in the military prison at Andersonville was not referable to climatic causes or to the nature of the soil and waters.

Second. The chief causes of death were scurvy and its results, and bowel affections—chronic and acute diarrhea and dysentery. The bowel affections appear to have been due to the diet, the habits of the patients, the depressed, dejected state of the nervous system and moral and intellectual powers, and to the effluvia arising from the decomposing animal and vegetable filth. The effects of salt meat and an unvarying diet of corn-meal, with but few vegetables and imperfect supplies of vinegar and sirup, were manifested in the great prevalence of scurvy. This disease, without doubt, was also influenced to an important extent in its origin and course by the foul animal emanations.

Third. From the sameness of the food and from the action of poisonous gases in the densely crowded and filthy stockade and hospital, the blood was altered in its constitution even before the manifestation of actual disease. In both the well and the sick the red corpuscles were diminished, and in all diseases uncomplicated with inflammation the fibrinous element was deficient. In cases of ulceration of the mucous membrane of the intestinal canal the fibrinous element of the blood was increased; whilst in simple diarrhea, uncomplicated with ulceration, it was either diminished or else remained stationary. Heart clots were very common if not universally present in the cases of ulceration of the intestinal mucous membrane, whilst in the uncomplicated cases of diarrhea and scurvy the blood was fluid and did not coagulate readily, and the heart clots and fibrinous concretions were almost universally absent. From the watery condition of the blood there resulted various serous effusions into the pericardium, ventricles of the brain, and into

* See p. 625.

the abdomen. In almost all the cases which I examined after death, even in the most emaciated, there was more or less serous effusion into the abdominal cavity. In cases of hospital gangrene of the extremities and in cases of gangrene of the intestines, heart clots and firm coagula were universally present. The presence of these clots in the cases of hospital gangrene, whilst they were absent in the cases in which there were no inflammatory symptoms, sustains the conclusion that hospital gangrene is a species of inflammation, imperfect and irregular though it may be in its progress, in which the fibrinous element and coagulation of the blood are increased, even in those who are suffering from such a condition of the blood, and from such diseases as are naturally accompanied with a decrease in the fibrinous constituent.

Fourth. The fact that hospital gangrene appeared in the stockade first, and originated spontaneously without any previous contagion and occurred sporadically all over the stockade and prison hospital, was proof positive that this disease will arise wherever the conditions of crowding, filth, foul air, and bad diet are present. The exhalations from the hospital and stockade appeared to exert these effects to a considerable distance outside of these localities. The origin of hospital gangrene amongst these prisoners appeared clearly to depend in great measure upon the state of the general system, induced by diet and various external noxious influences. The rapidity of the appearance and action of the gangrene depended upon the powers and state of the constitution, as well as upon the intensity of the poison in the atmosphere, or upon the direct application of poisonous matter to the wounded surface. This was further illustrated by the important fact that hospital gangrene, or a disease resembling it in all essential respects, attacked the intestinal canal of patients laboring under ulceration of the bowels, although there were no local manifestations of gangrene upon the surface of the body. This mode of termination in cases of dysentery was quite common in the foul atmosphere of the C. S. military prison hospital, in the depressed, depraved condition of the system of these Federal prisoners.

Fifth. A scorbutic condition of the system appeared to favor the origin of foul ulcers, which frequently took on true hospital gangrene. Scurvy and hospital gangrene frequently existed in the same individual. In such cases vegetable diet with vegetable acids would remove the scorbutic condition without curing the hospital gangrene.

From the results of the existing war for the establishment of the independence of the Confederate States, as well as from the published observations of Doctor Trotter, Sir Gilbert Blane, and others of the English navy and army, it is evident that the scorbutic condition of the system, especially in crowded ships and camps, is most favorable to the origin and spread of foul ulcers and hospital gangrene. As in the present case of Andersonville, so also in past times when medical hygiene was almost entirely neglected, these two diseases were almost universally associated in crowded ships. In many cases it was very difficult to decide at first whether the ulcer was a simple result of scurvy or of the action of the poison of hospital gangrene, for there was great similarity in the appearance of the ulcers in the two diseases. So commonly have these two diseases been combined in their origin and action that the description of scorbutic ulcers by many authors evidently includes also many of the prominent characteristics of hospital gangrene. This will be rendered evident by an examination of the observations of Doctor Lind and Sir Gilbert Blane upon scorbutic ulcers.

Sixth. Gangrenous spots, followed by rapid destruction of tissue, appeared in some cases when there had been no known wound. Without such well-established facts it might be assumed that the disease was propagated from one patient to another. In such a filthy and crowded hospital as that of the C. S. military prison at Andersonville it was impossible to isolate the wounded from the sources of actual contact of the gangrenous matter. The flies swarming over the wounds and over filth of every kind, the filthy, imperfectly washed, and scant supplies of rags, and the limited supplies of washing utensils—the same washbowl serving for scores of patients—were sources of such constant circulation of the gangrenous matter that the disease might rapidly spread from a single gangrenous wound. The fact already stated that a form of moist gangrene resembling hospital gangrene was quite common in this foul atmosphere in cases of dysentery, both with and without the existence of the disease upon the exterior surface, not only demonstrates the dependence of the disease upon the state of the constitution, but proves in the clearest manner that neither the contact of the poisonous matter of gangrene nor the direct action of the poisoned atmosphere upon the ulcerated surface is necessary to the development of the disease.

Seventh. In this foul atmosphere amputation did not arrest hospital gangrene; the disease almost invariably returned. Almost every amputation was followed finally by death, either from the effects of gangrene or from the prevailing diarrhea and dysentery. Nitric acid and escharotics generally in this crowded atmosphere, loaded with noxious effluvia, exerted only temporary effects. After their application to the diseased surfaces the gangrene would freqently return with redoubled energy; and even after the gangrene had been completely removed by local and constitutional treatment, it would frequently return and destroy the patient. As far as my observation extended, very few of the cases of amputation for gangrene recovered. The progress of these cases was frequently very deceptive. I have observed after death the most extensive disorganization of the structures of the stump, where during life there was but little swelling of the part and the patient was apparently doing well. I endeavored to impress upon the medical officers the view that in this disease treatment was almost useless without an abundant supply of pure fresh air, nutritious food, and tonics and stimulants. Such changes, however, as would allow of the isolation of the cases of hospital gangrene appeared to be out of the power of the medical officers.

Eighth. The gangrenous mass was without true pus, and consisted chiefly of broken-down disorganized structures. The reaction of the gangrenous matter in certain stages was alkaline.

Ninth. The best, and in truth the only, means of protecting large armies and navies, as well as prisoners, from the ravages of hospital gangrene is to furnish liberal supplies of well-cured meat, together with fresh beef and vegetables, and to enforce a rigid system of hygiene.

Tenth. Finally, this gigantic mass of human misery calls loudly for relief, not only for the sake of the sufferers and humanity, but also on account of our own brave soldiers now captives in the hands of the Federal Government. Strict justice to the gallant men of the Confederate armies who have been or who may be so unfortunate as to be compelled to surrender in battle demands that the Confederate Government should adopt that course which will best secure their health and comfort in captivity, or at least leave their enemies without the shadow

of an excuse for any violation of the rules of civilized warfare in the treatment of prisoners.

In stepping aside for one moment from the line of labor indicated in the order of the Surgeon-General to offer some suggestions with reference to the amelioration of suffering, I am well aware that the same principles of enlarged humanity displayed in the management of the medical department by the Surgeon-General in his varied and difficult relations to the Federal prisoners, as well as to the sick and wounded of the Confederate armies, actuates the President as well as all the higher officers of the Government, and that no effort has been spared by the Confederate authorities, through Col. Robert Ould, agent of exchange, to effect an immediate and complete exchange of the Federal prisoners in their hands.

As long as the Confederate Government is compelled to hold these prisoners as hostages for the safe exchange of the captive men of its own armies, it is difficult to see how the sufferings of such an immense army of prisoners, equal in numbers at least to one-fourth of the Confederate forces actively engaged in the field, can to any extent be mitigated in a purely agricultural country, sparsely settled, with imperfect lines of communication, with an inflated and almost worthless currency, with no commerce, with few or no manufactories of importance, cut off from all communication with the surrounding world, and deprived of even the necessary medicines, which have been declared "contraband of war" by the hostile government. With torn and bleeding borders, with constantly diminishing powers of subsistence and resistance, with its entire fighting population in arms, with a constant retreat of the armies and population upon the central portions of the country, and with corresponding demands upon the supplies of the overcrowded interior, and with corresponding increase of travel upon the dilapidated railroads, the maintenance of the prisoners becomes every day more difficult and onerous. In Georgia especially, the very State in which these men are confined, are the disasters of war felt with daily increasing force. The disastrous campaign in Northern Georgia has been attended with the almost utter desolation of this portion of the State. Hundreds of families have lost all. The women and children of Atlanta (the third city in size in Georgia) have been driven out by the imperative orders of General Sherman. Thousands of old men, women, and children have fled from the towns and villages, from Chattanooga to Atlanta, to those portions of the State considered more safe from invasion, and are occupying old cars, sheds, and bush tents along the entire lines of railroads. The hospitals connected with the Army of Tennessee have been in a state of perpetual motion, crowding back upon one another in the interior of the State; every railroad depot is a hospital, and almost every train is crowded with its living freight of sick and wounded men.

Hospital gangrene and pyemia are prevailing to an alarming extent upon the wounded of the Army of Tennessee, whose systems have been broken down not only by the arduous campaign culminating in the stubborn defense of Atlanta, but more especially by the scant diet of corn and salt meat, and by the unavoidable crowding into box-cars and badly ventilated hospitals suddenly impressed to meet the emergency. It is, therefore, with some appreciation of the great difficulties of the situation that I respectfully present to the consideration of the Surgeon-General the conditions which I believe to be absolutely essential to the relief of these suffering prisoners:

(*a*) Such an increase of the Confederate guard as will allow of the enlargement of the prison and hospital grounds to at least four times

their present area, and the establishment of a thorough system of police within the bounds of the stockade and wards of the hospital. Without the presence of an adequate guard in all parts of the premises occupied by the prisoners no efficient system of hygiene or of medical practice can be carried out. Prisoners left to themselves will not regard sanitary rules. Even the armies of the Confederacy in the field have (especially in the earlier periods of the war) suffered from the neglect of sanitary regulations to an alarming and most unfortunate extent, as is well known to the Surgeon-General.

(*b*) The construction of comfortable shelters for the sick and well upon a definite plan. As far as the hospital is concerned no plan is needed beyond the general one for Confederate hospitals.

(*c*) The substitution, as far as possible, of wheat in the place of corn, and the liberal issue of sweet potatoes, peas, and molasses to the well, and of rice and milk and fresh beef to the sick.

(*d*) A thorough organization of the medical department with a large increase of medical officers.

(*e*) The appointment, as far as possible, of disabled but competent Confederate soldiers as nurses.

(*f*) The establishment of a rigid system of hygiene rules for the government of all prison hospitals throughout the Confederate States.

(*g*) A liberal supply of bedding, clothes, and cooking utensils to the sick.

(*h*) The appointment of the necessary number of chaplains to minister to the sick.

The following documents were carefully copied from the records on file at Andersonville, and have been appended to this portion of my labors that full justice might be done to the Confederate surgeons in charge of the sick and wounded prisoners at Andersonville.*

Report on gangrene by A. Thornburgh, Assistant Surgeon, Provisional Army, C. S., C. S. military prison hospital, Andersonville, Ga.

C. S. MILITARY PRISON HOSPITAL.

Surg. JOSEPH JONES, Provisional Army, C. S., *Augusta, Ga.:*

SIR: It was our original intention to give you in this report a description of the stockade, its location and general condition, but we learn you have it already drawn up by abler hands than ours. We will therefore, after stating some of the most prevalent diseases among the prisoners, confine our remarks principally to the subject of ulcers and gangrene. As we will have to rely altogether on our notes and observations, taken for the most part within the last few months, drawn up under the most unfavorable circumstances imaginable, we fear, therefore, our remarks will prove both dry and uninteresting. The constant interference of an overdemand for our services as medical officers has prevented us from writing, except at irregular and uncertain intervals, therefore this report will present many deficiencies, both in arrangement and accuracy of detail.

* See Vol. VII, this series, as follows: White to Wright, April 25, 1864, p. 89; White to Moore, April 26, 1864, p. 91; White to Bowie, May —, 1864, p. 124; White to Hammond, June 20, 1864, p. 386; White to Bemiss, June 26, 1864, p. 417; White's report, June 30, 1864, p. 426; White to Moore, July 1, 1864, p. 430; White to Chandler, August 2, 1864, p. 524; White to Winder, August 6, 1864, p. 557; Stevenson to Moore, September 1, 1864, p. 711; Stevenson to Moore, September 16, 1864, p. 830; mass-meeting of Federal prisoners, September 28, 1864, p. 888.

When first we promised to contribute our mite to the subject before us we must confess we thought the task much easier than it has since proved to be. On looking over our notes we find them incomplete in many important particulars, and as we have but little time to investigate the subject in so scientific a manner as its importance demands, we are almost tempted to at once desist and confess our inability to do justice to the subject. But as our promise is out, and this paper is for your use, and not for public criticism, we will make the effort, hoping you will judge its merits with "Christian charity," and correct us in any errors we may make through ignorance or inexperience, and give us such information as you may deem necessary for our benefit in the future.

In order to show you the kind of material we have to work on it will be necessary to first give you a list of the most prevalent diseases among the prisoners, consequent on great mental and nervous depression, from long confinement in overcrowded and badly arranged prisons, seclusion from society, long-deferred hope, a lack of cleanliness, insufficient supply of nourishing food, a want of proper exercise of both body and mind, and from breathing an atmosphere so much vitiated by idio miasma as to be insufficient to produce the proper degree of oxygenation of the blood, a condition so necessary to both mental and bodily soundness. This depraved blood then affords an imperfect stimulus to the brain and nervous system, and as a result we have languor and inactivity of the mental and nervous functions, with a tendency to headache, syncope, hypochondriasis, and hemeralopia. The diseases most commonly met with are diarrhea, dysentery, intermittent and remittent fever, with continued, or camp, fever, as many term it. We also have catarrhal affections, with occasional pneumonia, and pleuritis, and, above all, scorbutus.

As it so rarely happens in the course of a long experience of the medical practitioner or surgeon that he has an opportunity of witnessing this most formidable and loathsome disease in all its aggravated forms, it might not be amiss to introduce in this place a detailed account of that fearful disease, as it has prevailed and is still prevailing in this prison. But as that would be a work of supererogation and lead us too far from our subject, we will not attempt the task. Out of 30,000 prisoners who have been confined at this place during the past spring and summer, perhaps not less than one-half have suffered from this disease in some of its various forms.

As a sequel to the above-named diseases we have œdema, anasarca, ascites, hydrothorax, anæmia, and ulcers of nearly every variety and form. These ulcers are produced from the slightest causes imaginable. A pin scratch, a prick of a splinter, a pustula, an abrasion, or even a mosquito bite are sufficient causes for their production. The phagedenic ulcer is the most common variety met with among the prisoners, and usually commences from some of the causes enumerated above, or from wounds or injuries of a more serious nature. When from any of these causes an ulcer forms, it speedily assumes a phagedenic appearance and extends over a large extent of surface, and presents irritable, jagged, and everted edges, and slowly destroys the deep tissues down to the bone. The surface presents a large ash-colored or greenish-yellow slough and emits a very offensive odor. After the slough is removed by appropriate treatment the parts beneath show but little tendency to granulate. Occasionally, however, apparently healthy granulations spring up and progress finely for a time, and again fall into sloughing,

and thus, by an alternate process of sloughing and phagedenic ulceration, large portions of the affected member or large masses of the body are destroyed. In this condition gangrene usually sets in, and if not speedily arrested soon puts an end to the poor sufferer's existence.

Gangrene first made its appearance in the stockade in the latter part of April or first of May last. The first that came under our observation was the result of frostbite. These cases (three or four in number) occurred among the prisoners who had been imprisoned on Belle Island last winter, where they received the injury. The parts attacked from this cause were usually the toes. The treatment was cold-water dressing, and the whole affected member enveloped in cloths spread with simple cerate, with tonics to support the system. This treatment usually succeeded, with the loss, perhaps, of one or more of the affected toes.

Early in the spring smallpox made its appearance in the prison, and as a prophylactic measure we were ordered to vaccinate "all who could not show a healthy scar." Consequently we went to work, and in a week or ten days 2,000 or 3,000 were vaccinated. Out of these nearly every man who happened to be affected with scurvy was attacked with ulceration of the pustule. These small ulcers soon began to slough and extend over a large extent of surface. These sloughs would become detached, the parts beneath suppurate, as in the case of other ulcers in a sloughy condition, until at last the ulcer would become phagedenic and destroy every structure in its track for a considerable extent. In this condition gangrene would set in, and if the disease be not speedily arrested by powerful escharotics, emollient poultices, and the proper vegetable diet, amputation became necessary, or the poor wretch would sink under the irritation; diarrhea or dysentery would supervene and speedily destroy the patient. The next and most common form of ulcers with us are what we call the scorbutic ulcer.

In severe cases of scurvy we have the upper and lower extremities covered with blue or livid spots, varying from the size of a millet seed to three or four inches in diameter, or the whole leg may be of a dark livid or copper color. These blotches become painful, open and ulcerate. This condition continues for a time, and finally slough, destroying whole toes, feet, and even arms and legs, apparently without there being sufficient energy or vitality in the system to set up inflammatory action. In this lamentable condition gangrene sets in and exhibits a more striking example of hospital gangrene than any other form of gangrene with which we have had to contend. The most prominent symptoms of this kind of gangrene are a weak and small pulse, great prostration of the already enfeebled vital powers, a dry, glazed tongue, great anxiety of countenance, with a foul grayish slough all over the surface of the wound or ulcer, which discharges a large quantity of filthy and very offensive sanies, destroying muscles and everything before it down to the bone. If an operation be not resorted to, we have hemorrhage, caused by the destruction of the blood vessels of the part. We have operated on perhaps twenty or thirty cases in this condition, and we do not recollect of a single case where the gangrene did not reappear in the stump and speedily destroy the patient. In the other forms of gangrene, however, we have had much better success. Out of perhaps a hundred operations twenty or thirty are well and as many others apparently doing well. We think the above a fair estimate of all the capital operations performed in this hospital during the spring and summer.

The treatment adopted in all forms of the disease (when we have it) is tonics, such as quinine, tincture of iron, salix alba, eupatorium perfoliatum, and such other indigenous remedies as we can obtain from the woods. We are now making some experiments with a decoction of the baptisia tinctoria, which grows abundantly around the hospital. As local applications we use pure nitric acid, nitrate of silver, tincture of iodine, oleum terebinthinæ, and Darby's prophylactic fluid, followed by emollient poultices made of pulverized lini, or a common mush poultice made by thickening a strong decoction of quercus rubra with corn-meal.

We will give you a tabular statement of the patients received into and treated in our ward alone for the past three months, with the result. We regret not being able to do the same for the whole hospital.

In the month of August we had in the fifth ward twenty-one operations of all kinds. Out of these cases we had ten deaths, mostly attributed to either diarrhea or dysentery, while only two or three were caused by recurrence of the gangrene in the stump.

Number of patients treated in Ward 5, Second Division, C. S. military prison hospital, during the months of July, August, and September, together with five days of October, and result of treatment as far as known.

Number of tents	11
Present in ward:	
July 1	68
August 1	77
September 1	72
October 5	62
Admitted:	
July	80
August	106
September	57
October 5	12
Sent to quarters:	
July	
August	4
September	
October 5	7
Detailed or transferred:	
July—	
Detailed	1
Transferred	10
Detailed or transferred—Continued.	
August—	
Detailed	4
Transferred	15
September—	
Detailed	6
Transferred	14
October 5—	
Detailed	2
Transferred	8
Died:	
July	66
August	86
September	49
October 5	7
Remaining in ward:	
July 31	66
August 31	79
September 30	62
October 5	50

It will be seen by the above statement that we treated in a little over three months 325 patients, and out of that number 208 have died, 47 were transferred to other wards, 13 were detailed for duty in hospital as nurses (after they were cured), and 11 were sent to quarters (cured), which leaves us 50 still in the ward (October 5), and out of the 50 there are 2 or 3 about well, 4 or 5 convalescent, and the remainder pretty bad off.

In September we had 11 operations for the same condition, of which 7 died from diarrhea and dysentery. The whole number of operations for the two months (August and September) were 38, of which 17 died, 9 were transferred to other wards, 6 are convalescent in the ward, and we know of 4 or 5 others who were transferred to other wards, and who are also convalescent. The deaths as far as known are reported in the above.

We will now give you a case of what we took for true hospital gangrene. J. Mailer, aged twenty-four years, admitted August 5, with a large sphacelus covering the whole arm up to within two and a half

inches of the shoulder joint. The arm was very much tumefied, and presented around the border of the large sphacelus a kind of erysipelatous inflammation. This inflamed surface was covered with green and yellow spots; these in turn opened and discharged filthy and very offensive sanies. The pulse beat 120 to the minute, was weak, and had a peculiar vibratory thrill. Tongue dry and glazed, very red at the tip and edges. Bowels a little loose, but not amounting to diarrhea. Appetite weak. Urine scant and highly colored; complained of considerable pain in the affected arm and shoulder; had copious night-sweats; complained of chilliness of mornings and fever in the afternoon. (℞ Quiniæ sulph., gr. xx. Pulv. Doveri, gr. x. M. ft. chart. iii and to be given every six hours in one ounce good whisky. Apply pure nitric acid to the sphacelus, envelope the whole arm in pulverized lini poultices.)

6th. Patient no better; is very anxious to have the arm amputated; gangrene extending. Pulse 125 in the morning, 137 in the evening. Tongue about the same. Bowels still loose. Appetite somewhat improved; forearm edematous; continued prescription.

7th. Gangrene still extending above the elbow; presents a pea-green appearance, and emits an intolerable odor. Pulse 130 at 8 a. m., 141 at 5 p. m. Bowels painful; has mucous discharges. Appetite weak; cannot obtain diet of proper kinds.

8th. This morning the gangrene has extended into the shoulder joint and half way to the hand. Pulse 140, a. m.; 157, p. m. Has dysentery. Prescription continued with turpentine emulsion. In this condition the patient remained up to the 10th, at which time he began to sink, and as we could do nothing more we continued about the same treatment up to the 14th, at which time the patient died, with the whole arm in a state of sphacelus.

Now, if this was "hospital gangrene," we have had quite a number of cases of this disease, and if not, the disease has not prevailed at this post. Although the case above described is but a faint outline of the disease, yet we hope it is sufficiently plain to be understood.

We will close this paper, lest we weary you with dry and uninteresting matter, by giving a short description of our so-called hospital. We have from 1,600 to 2,000 patients, besides nurses and attendants, crowded together in small and almost useless tents erected on less than three acres of ground. The hospital is located on a narrow tongue of land between two small creeks on each side of which are swamps forty or fifty yards in width; on the west and up these creeks from the hospital are the camps and stockade. Now, all the débris from over 30,000 human beings have to pass along the small brook on the north of the hospital grounds and within a stone's throw of patients' tents. A large portion of this filth is deposited on the marsh and produces a most sickening stench. Our patients are carried from the stockade and placed in the tents by the attendants. We put in the common small A tent four patients, in the large wall tent eight, and in the common fly from six to eight. About one-third have bunks or scaffolds and the remainder have to lie on the ground without straw or anything else to protect them from its dampness.

Those who are not fortunate enough to have a blanket are compelled to lie on the damp ground with no covering but their clothing, which in many instances they have worn for six months without washing.

The diet is of the coarsest kind, consisting of boiled beef, rice, molasses, and coarse corn bread baked without sifting, and from one

to two ordinary-sized biscuits. To this we sometimes have added a small allowance of vegetables, such as peas, potatoes, and collards. These vegetables are generally issued raw and the patients are compelled to hire their comrades to cook them in some sort of style and pay them out of their scanty allowance.

We also have great difficulty in procuring medicines. The supplies for a month are usually exhausted in ten days, and the remainder of the time we are compelled to rely on such indigenous remedies as we can procure from the adjacent woods. Our cooking department has been very deficient all summer, consisting of two large salt kettles placed on a furnace in the open air. The water is good and the supply plenteous.

With these facts before you you will not wonder at the fearful mortality presented in our report and in the tabular statement from our ward, presented above.

Feeling we have done our whole duty, both in the eyes of God and man, we leave the matter to rest with those whose duty it was to furnish supplies and build up a hospital that might have reflected credit on the Government and saved the lives of thousands of our race.

HOSPITAL GANGRENE.

The above description of ulcers attended with gangrene are so nearly allied to hospital gangrene that we are of the opinion that many cases of the above diseases are identical with this disease.

As hospital gangrene proper is of rare occurrence in our country, and as our public institutions have never been visited by this disease in its epidemic form like the large hospitals of Europe, it has rarely happened that our teachers of medicines and surgery have had an opportunity of witnessing and investigating the disease in its most aggravated forms. Hence we have comparatively little written on the subject by American authors; and what little has been written is difficult to understand, on account of the very different descriptions given by different authors, both of this and other countries, so that we are at a loss to know how to proceed with our investigation, lest in forming an opinion on a subject so interesting and important we should make some fatal blunders. We will therefore content ourselves by giving such answers to the questions you honored us with while with us as may seem in our humble judgment proper.

We take the ground that we have hospital gangrene in its most aggravated form in this hospital; and also that it has and is still prevailing to an alarming extent among these unfortunate prisoners. We regard the sloughing phagedæna so common and so fatal in its consequences as a true type of this disease. At least, this disease corresponds so accurately with descriptions of hospital gangrene given by European writers that we conclude the disease is one and the same.

We have had under our immediate care a goodly number of cases of this disease within the last few months, and have witnessed a great many more in other wards, and have consulted with various medical gentlemen on the subject, and find but few who differ in opinion with reference to the disease usually diagnosed "phagedæna gangrænosa" and "hospital gangrene" being the same disease.

From the experience we have had with hospital gangrene we regard it as a constitutional disease, from the fact that we invariably have it marked by constitutional symptoms, generally of a low grade. These

symptoms may or may not precede the local invasion of the disease, according to circumstances. If the constitution of the patient is greatly debilitated by previous disease, as from scorbutus or chronic diarrhea, we usually have primary symptoms, such as great depression of the vital powers, anxious and expressionless countenance, quick and feeble pulse, and a dry, red, or glazed tongue. Fever and other constitutional disturbances are invariably met with in this disease, but do not always precede it. When the disease is brought on in healthy patients with fresh wounds by contagion we have the above symptoms following the local disturbance or invasion of the disease. We have had no chance of settling the question of contagion in this hospital. Our patients have been crowded together on the same ground with other patients suffering from the various diseases incident to the prisoners, and in very many instances in the same tent, or even on the same bed. Again, we only have one wash pan to the tent, and it is utterly impossible for the nurses, if they were ever so particular, to keep those who have no gangrene from using the same basin used by the gangrene patients. The same sponge is doubtless often used for every patient in the tent, and owing to the great scarcity of bandages we are compelled to use the same bandages several times, and in washing they not unfrequently get changed, and thus the disease may be transmitted from one patient to the other by actual contact. So we are not in possession of the proper data to justify us in giving an affirmative answer as to the disease being contagious; but from our limited experience with the disease, and from what we know of its nature and general character, we are inclined to the opinion that it is highly contagious.

We have not the least doubt of the constitutionality of the disease, but cannot speak from experience as to the success of a strictly constitutional treatment. We are always so anxious to relieve our patients of whatever disease they may chance to have that we always make every effort for their relief in our power. Hence we have never treated this disease without using local applications, nor do we believe that we would be justifiable in making the experiment of treating hospital gangrene by constitutional means only. With the life of a human being in our hands, we would not think of risking constitutional treatment alone. Therefore we cannot answer the question from experimental knowledge.

Hospital gangrene may appear in slight wounds, even in perfectly healthy patients, if they should be exposed to the atmosphere in which the patient or patients are confined who are suffering from this disease, but the dangers of contagion are not so great as in other diseases of this nature. Having never tried the experiment of inoculation with gangrenous matter, we cannot speak positively, but we have no doubt but that we would have a modified form of the disease as a result. We do not believe this disease ever originates spontaneously in well-regulated and properly ventilated hospitals, unless the patients are overcrowded and neglected. Still, such cases are on record, but it will be remembered that at the time of their occurrence other diseases were prevailing epidemically, such as influenza, erysipelas, and phlebitis, which may, under certain circumstances, act as one of the causes of this affection. Influenza prevailed very extensively in the prison about the time this disease originated, and may have had something to do with its production. Let the causes be what they may, when the disease is once established in an extensive hospital it generally spreads rapidly, by contagion or otherwise, and its rapid spread is only checked by isolating all who are affected with the disease from the other sick and

wounded. The essential conditions and causes of the disease under consideration are of various kinds, such as deprivation of the blood, overcrowded hospitals, a lack of proper cleanliness, and insufficient ventilation. In fact, anything which would cause other diseases of a low form might be enumerated as causes of this truly formidable disease.

The last question we will not attempt to answer at this time. We have not performed a sufficient number of post-mortem examinations of patients who have died from this and other diseases to entitle us to speak positively as to any peculiar "local lesions which are characteristic of this disease."

We will therefore close this already too lengthy paper, hoping that it may in some way assist you in making your report to the Surgeon-General, and thereby prove of some benefit to the profession and the country.

GENERAL COURT-MARTIAL ORDERS, No. 260.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, June 1, 1865.*

I. Before a general court-martial which convened at Washington, D. C., May 2, 1865, pursuant to Special Orders, No. 196, dated War Department, Adjutant-General's Office, Washington, May 1, 1865, and of which Maj. Gen. J. G. Foster, U. S. Volunteers, is president, was arraigned and tried—

Benjamin G. Harris, citizen.

CHARGE: Violation of the 56th Article of War.

Specification 1.—In this, that Benjamin G. Harris, a citizen of Maryland and a member of the Congress of the United States, did relieve, with money, to wit, the sum of $2.00, the public enemy, to wit, Sergt. Richard Chapman and Private William Read, of Company K, Thirty-second Regiment Virginia Infantry, soldiers of the Army of the so-called Confederate States of America, then in rebellion against and at war with the United States, he, the said Harris, then and there well knowing said Chapman and Read to be soldiers of said Army, and treating and offering to relieve them as such, and at the same time advising and inciting them to continue in said Army and to make war against the United States, and emphatically declaring his sympathy with the enemy and his opposition to the Government of the United States in its efforts to suppress the rebellion. This at or near Leonardtown, Saint Mary's County, Md., on or about April 26, 1865.

Specification 2.—In this, that Benjamin G. Harris, a citizen of Maryland and a member of the Congress of the United States, did knowingly harbor and protect the public enemy, to wit, Sergt. Richard Chapman and Private William Read, of Company K, Thirty-second Regiment Virginia Infantry, soldiers of the Army of the so-called Confederate States of America, then in rebellion against and at war with the United States, by procuring them to be lodged and fed in a private house, and furnishing them with money therefor, he, the said Harris, then and there well knowing said Chapman and Read to be soldiers of said Army, and treating them, and offering and giving them money as such, and at the same time advising and inciting them to continue in said Army and to make war against the United States, and emphatically declaring his sympathy with the enemy and his opposition to the Government of the United States in its efforts to suppress the rebellion. This at or near Leonardtown, Saint Mary's County, Md., on or about April 26, 1865.

To which charge and specification the accused, Benjamin G. Harris, citizen, pleaded not guilty.

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Benjamin G. Harris, citizen, as follows:

Of the first specification, guilty.

Of the second specification, guilty, except as to the words, "and fed in a private house."

Of the charge, guilty.

SENTENCE.

And the court does therefore sentence him, Benjamin G. Harris, citizen, to be forever disqualified from holding any office or place of honor, trust, or profit under the

United States, and to be imprisoned for three years in the penitentiary at Albany, N. Y., or at such other penitentiary as the Secretary of War may designate.

II. The record in the foregoing case of Benjamin G. Harris, citizen, was transmitted to the Secretary of War, and by him submitted to the President of the United States. The following are the orders of the President in the case:

EXECUTIVE OFFICE, *May 31, 1865.*

In the within case of Benjamin G. Harris the findings and sentence of the court are hereby approved and confirmed. Additional evidence and affidavits, however, bearing upon this case and favorable to the accused having been presented to and considered by me since the sentence aforesaid, I deem it proper to direct that the sentence in the case of said Harris be remitted and that he be released from imprisonment.

ANDREW JOHNSON.

III. In accordance with the foregoing order Benjamin G. Harris, citizen, will be immediately released from imprisonment.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

[JUNE 1, 1865.—For report of J. A. Cooper of result of his investigation to fix responsibility for the ill-management of the military prison at Salisbury, N. C., see Series I, Vol. XLVII, Part III, p. 610.]

GENERAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 104. } *Washington, June 2, 1865.*

Transportation to be furnished prisoners released on taking the oath.

The Quartermaster's Department will furnish all prisoners of war and citizen prisoners who have been or may be released from confinement by reason of their taking the oath of allegiance to the United States with transportation to their homes, or to the nearest points thereto which it may be practicable to reach by the usual routes of water and railroad transportation. All officers of the Quartermaster's Department who may be called upon to provide transportation under this order will require the parties applying for the same to produce satisfactory evidence that they were released upon the condition specified, and for this purpose such prisoners will, at the time of their discharge from custody, be given by the commanding officers a written statement setting forth that they are entitled to transportation to their homes.

By command of Lieutenant-General Grant:

E. D. TOWNSEND,
Assistant Adjutant-General.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, June 2, 1865.

Major-General HITCHCOCK, U. S. Army,
Commissioner of Exchange, Washington, D. C.:

GENERAL: I have the honor, in the absence of His Excellency the Governor, to acknowledge the receipt of your letter of May 31 concerning

two colored boys captured with a part of the Forty-second Regiment Massachusetts Volunteer Militia in Texas in 1863, and sold into slavery. I inclose copies of the papers sent at that time to the honorable Secretary of War, which I believe state all the necessary facts as I now recollect them.* I have also written to the friends of the boys here to learn whether they have any information concerning them.

Thanking you for your kindness in recollecting this case, and hoping that no effort will be spared to find these boys and return them to liberty and their families,

I have the honor to be, very respectfully, your obedient servant,

H. WARE,
Major and Acting Military Secretary.

NEW YORK, *June 2, 1865.*

General E. D. TOWNSEND,
Assistant Adjutant-General, Washington City, D. C.:

SIR: The Department has given me permission to transmit through your office the open note sent herewith. The statements in the public prints render it doubtful where the gentleman to whom it is addressed may be confined at this moment, and consequently I am constrained to request that you will overlook the omission of an address and nevertheless cause the note to be delivered.

I am, sir, your obedient servant,

CH. O'CONOR.

[Inclosure.]

NEW YORK, *June 2, 1865.*

Hon. JEFFERSON DAVIS:

DEAR SIR: Gentlemen who have no personal acquaintance with yourself, and who never had any connection by birth, residence, or otherwise with any of the Southern States, have requested me to volunteer as counsel for the defense in case you should be arraigned upon an indictment which has been announced in the newspapers. No less in conformity with my own sense of propriety than in compliance with their wishes I beg leave to tender my services accordingly. I will be happy to attend at any time and place that you may indicate in order to confer with yourself or others in relation to the defense. The Department of War having given its assent to the transmission of this open letter through the proper military authorities I infer that if my professional aid be accepted you will have full permission to confer with me in writing and orally at personal interviews, as you may judge to be necessary or desirable.

I am, dear sir, yours, respectfully,

CH. O'CONOR.

HEADQUARTERS, *Tallahassee, Fla., June 2, 1865.*

Brigadier-General HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

SIR: In answer to your letter of the 21st of May, 1865, I have the honor to state that on the 28th of April, 1865, an officer under flag of

*See Ware to Browne (with inclosure) and Canby to Andrew, Vol. V, this series, pp. 455, 484.

truce rode up to the outpost before Jacksonville, delivered a letter, and rode off. Brigadier-General Vogdes, commanding District of Florida, being absent from the post, I opened the letter and found it contained a simple announcement that about 3,200 paroled prisoners were on their way to our lines, and requested that transportation should be sent for about 300 sick. Shortly after they commenced to arrive in crowds, and continued coming in all the next day. They said the guard had left them about ten miles from our lines. I sent out all available wagons and a railroad train for the sick, and made the best arrangements in my power for the comfort of the whole.

On the 30th of April Major Thompson, provost-marshal-general, Department of the South, arrived at Jacksonville, and under orders from General Gillmore took charge of the prisoners. He attended to the making of rolls and conveying the men North. Some men belonging to the Seventeenth Connecticut Volunteers, to Seventy-fifth Ohio Volunteers, and to One hundred and seventh Ohio Volunteers were permitted to remain with their regiments, then stationed in the District of Florida. All the sick able to bear transportation have since been removed.

I respectfully refer you to Major Thompson, provost-marshal-general, Department of the South, for more detailed information as to the particulars of their being paroled, and to Surgeon Applegate, chief medical officer, District of Florida, for the names of any who may have been detained at Jacksonville from sickness.

Very respectfully, your obedient servant,

B. C. TILGHMAN,

Colonel Third U. S. Colored Troops, Bvt. Brig. Gen., U. S. Vols.

[Indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 15, 1865.

Respectfully submitted to Lieut. Gen. U. S. Grant, commanding U. S. Army.

From the within report it appears that the paroled prisoners heretofore reported by this office as having arrived at Annapolis from Jacksonville, Fla., were taken charge of at Jacksonville, Fla., by Major Thompson, provost-marshal-general, Department of the South; that most of them were forwarded by him to Annapolis, and that he permitted some of them, though on parole, to join their regiments. Major Thompson has up to this time furnished no roll of the prisoners received by him, nor has he made any report of the disposition which he made of them. He seems to have been aware of the order regarding paroled prisoners to be sent to Annapolis, but, notwithstanding, he allowed some of them, in violation of that order, to join their regiments. It is impossible that this office can account promptly for paroled troops if officers who receive them are so negligent in the performance of their duty as Major Thompson has been in this case. Other reports received in this office show that there were fifty to sixty of these prisoners then remaining at Jacksonville, Fla.

Major-General Gillmore, commanding Department of the South, has been requested to order the paroled men who joined their regiments to be sent to Camp Parole, near Annapolis.

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WASHINGTON, D. C., *June 2, 1865.*

Brig. Gen. JOHN E. MULFORD,
Agent for Exchange, Fort Monroe, Va.:

GENERAL: Your letter of the 29th ultimo, making inquiries as t the rules which are or will be observed in the release of prisoners, i received. All prisoners who made application to take the oath of alle giance before the fall of Richmond have already been ordered to be dis charged. For those remaining below the rank of colonel in the arm or lieutenant in the navy special applications are received throug this office, either from themselves direct or through their friends, an unless there is some special objection the release is generally granted It is possible that a general order may be published in a few day covering all cases below the grades above mentioned.

The books and papers of the Libby Prison have not yet been sen to this office, but I will endeavor to have you furnished with th information asked for in your letter of the 29th in regard to mone sent to prisoners.

I am, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., June 2, 1865.

Major-General ORD, *Commanding Department of Virginia:*

GENERAL: Libby Prison cannot be vacated till the cases of Ould Hatch, &c., are disposed of. Now that Morfit has arrived, you wil order a board of three officers to investigate and report upon thei cases. This investigation will be informal and simply to ascertai whether they, or any of them, should be held for trial and punishmen for the abstraction or improper use of money, &c., sent for the use o our prisoners of war.

Very respectfully,

H. W. HALLECK,
Major-General, Commanding.

CLARKSBURG, W. VA., *June 2, 1865.*

Col. W. OWENS, *Eighth Ohio Cavalry, Beverly, W. Va.:*

The general commanding the Department of West Virginia ha decided, by indorsement, as follows:

First. That if a rebel officer or soldier has been properly paroled it is not regarde as good policy to go behind the parole for alleged offenses, purely military, com mitted by him prior to his being paroled.

Second. That under no circumstances can horses be taken from paroled prisoner and turned over to citizens. If the horses in their possession are Government horses they will be taken for the benefit of the United States. If not branded, it is pre sumable that they were allowed to retain them under the terms given by Genera Grant.

Third. The parole does not interfere with prosecutions in civil courts founded o larceny or other outrages.

The foregoing is furnished for your information and guidance.

N. WILKINSON,
Colonel, Commanding Brigade.

GENERAL ORDERS, } HEADQUARTERS DISTRICT OF INDIANA,
No. 38. } *Indianapolis, Ind., June 2, 1865.*

The sentence of general court-martial, as promulgated in General Orders, No. 27, dated headquarters District of Indiana, Indianapolis, May 9, 1865, and the commutation thereof, as promulgated in General Orders, No. 37, dated headquarters District of Indiana, Indianapolis, Ind., May 31, 1865, having been further commuted, by telegram, of which the following is an extract, to wit:

WASHINGTON, *May 30, 1865—9.30 p. m.*

Major-General HOVEY:

The President of the United States orders that the sentence of death, heretofore passed against Horsey, Bowles, and Milligan, be commuted to imprisonment of each at hard labor in the penitentiary during his life. The penitentiary at Columbus, Ohio, is designated as the place of imprisonment. * * *

E. M. STANTON,
Secretary of War.

Now, therefore, in accordance with said telegram, William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, citizens of the State of Indiana, will be confined at hard labor during the terms of their and each of their natural lives, at the penitentiary at Columbus, Ohio. The prisoners will be sent under guard to said penitentiary with a copy of this order, together with said General Orders, Nos. 27 and 37, current series, from these headquarters. Lieut. Col. John H. Gardiner, Seventeenth Regiment Veteran Reserve Corps, commanding post, Indianapolis, Ind., will cause this sentence to be executed.

By command of Bvt. Maj. Gen. Alvin P. Hovey:

J. W. WALKER,
Major and Assistant Adjutant-General.

HEADQUARTERS U. S. FORCES,
Camp Chase, Ohio, June 3, 1865.

Bvt. Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to report that this morning about 9 a. m., in Prison No. 3 at this post, an altercation occurred between two prisoners, in which William R. Pettus, a private in Company F, Fourth Alabama Cavalry, stabbed and mortally wounded B. F. Eubanks, private, Company B, Third Alabama Cavalry, Eubanks dying in about five minutes. The wound was inflicted with a common pocket knife. I have sent Pettus to the military prison at Columbus, Ohio, and have the honor to request instructions as to what further action I shall take in the case.

I am, general, very respectfully, your obedient servant,

W. P. RICHARDSON,
Brevet Brigadier-General, Commanding.

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 8, 1865.

Respectfully submitted to the Secretary of War for instructions.

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[Second indorsement.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
June 15, 1865.

Respectfully returned to the Secretary of War.

In cases of this character of homicide of one rebel prisoner by another at one of our prison camps this Bureau has expressed and still adheres to the opinion that such crime is not one that can properly be taken cognizance of by a U. S. military court. If the local criminal tribunal should desire to pass upon this or any similar case, the post commandant would properly respond to a formal request to that effect by placing the accused party in the hands of the civil authorities for trial.

In the absence of the Judge-Advocate-General:

WM. WINTHROP,
Major and Judge-Advocate.

[Third indorsement.]

WAR DEPARTMENT, *June 21, 1865.*

Approved and sent to the Commissary-General of Prisoners.

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

HEADQUARTERS POST COMMANDER,
Indianapolis, Ind., June 3, 1865.

Maj. J. W. WALKER,
Assistant Adjutant-General, District of Indiana:

MAJOR: I have the honor to report that in obedience to Special Orders, No. 38, from district headquarters, dated Indianapolis, Ind., June 2, 1865, I proceeded with a guard of thirty-two men in charge of prisoners Bowles, Milligan, and Horsey to Columbus, Ohio, on Friday, June 2, 1865, at 6 a. m., and delivered them to the officer in charge of the penitentiary, Columbus, Ohio.

Inclosed herewith is a copy of the receipt. I returned this day at 12.40 p. m.

Very respectfully, your obedient servant,

JOHN H. GARDINER,
Lieutenant-Colonel, Veteran Reserve Corps, Commanding Post.

[Indorsement.]

HEADQUARTERS DISTRICT OF INDIANA,
Indianapolis, Ind., June 5, 1865.

Respectfully forwarded to Adjutant-General of Army, Washington, D. C.

ALVIN P. HOVEY,
Brevet Major-General, U. S. Volunteers, Commanding.

[Inclosure.]

OFFICE OHIO PENITENTIARY,
Columbus, Ohio, June 2, 1865.

Received of Lieut. Col. J. H. Gardiner, commanding post, Indianapolis, Ind., the following-named prisoners, with copies of General Orders, No. 27, No. 37, and No. 38, to wit:

William A. Bowles, Lambdin P. Milligan, and Stephen Horsey (three).

JOHN A. PRENTICE,
Warden.

WASHINGTON, D. C., *June 3, 1865.*

Mrs. Governor JOSEPH E. BROWN, *Milledgeville, Ga.:*

Released on parole. Home, I hope, by New York and Savannah, by 20th instant.*

JOSEPH E. BROWN.

[Indorsement.]

The above telegram is approved.

ANDREW JOHNSON.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., June 4, 1865.

Bvt. Lieut. Col. B. W. THOMPSON,
Pro. Mar. Gen., Department of the South, Hilton Head, S. C.:

COLONEL: The major-general commanding directs that you cause the arrest of the following persons, if found within your jurisdiction, and report the fact without delay to these headquarters:

Surgeon White, C. S. Army, late surgeon in charge of prisoners at Andersonville, Ga.; Captain Wirz, C. S. Army, late commanding prison at Andersonville, Ga.; Hospital Steward Robinson, C. S. Army, late steward of prison at Andersonville, Ga.; Captain Vowles, C. S. Army, late commanding prison at Millen, Ga.

Very respectfully, your obedient servant,

W. L. M. BURGER,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 5, 1865.

Bvt. Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Old Point Comfort, Va.:

SIR: By direction of the Secretary of War I inclose herewith an open letter† from Ch. O'Conor, esq., of New York, dated June 2, 1865, to be delivered to Jefferson Davis. Please report its receipt.

I am, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

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*For correspondence relating to arrest of Governor Brown not published in this series, see Series I, Vol. XLIX, Part II.

†See p. 634.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 5, 1865.

CH. O'CONOR, Esq., *New York:*

SIR: Your communication of the 2d instant inclosing an open letter, addressed to "Hon. Jefferson Davis," has been received. The inclosure has been forwarded to the commanding officer of Fort Monroe, with direction to deliver to Mr. Davis.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *June 5, 1865.*

Maj. Gen. E. R. S. CANBY, *Commanding, New Orleans, La.:*

GENERAL: I respectfully ask your attention to the following statement: When the expedition to Sabine River (set on foot by General Banks) was defeated there were captured, of the Forty-second Regiment Massachusetts Volunteers, two colored boys, as I suppose, nearly grown, who were subsequently sold into slavery at Houston, Tex. Their names are Charles Fairfax Revaleon and Charles Gerrish Amos.

I beg to urge that every possible effort may be made to discover the whereabouts of these boys with a view to their recovery and their safe return to Boston, where they belong.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General of Vols., Commissioner for Exchange of Prisoners.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, June 5, 1865.

Bvt. Brig. Gen. MARTIN BURKE, U. S. Army,
Commanding Fort Lafayette:

By direction of the major-general commanding the department I have the honor to acknowledge the receipt of yours of the 3d, communicating the arrival and confinement of B. H. Hill and S. R. Mallory at Fort Lafayette.

In the absence of definite instructions from Washington you will treat them as political prisoners, confining them in separate apartments, allowing no correspondence to or from others, except through yourself and these headquarters, and granting them permission to take such exercise as may be necessary for their health, consistent with their safe-keeping.

Very respectfully,

D. T. VAN BUREN,
Colonel and Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 5, 1865—11.30 a. m.

Maj. Gen. Q. A. GILLMORE,
Commanding Department of the South, Hilton Head, S. C.:

Lieut. George L. Burger, aide-de-camp, has just been ordered to return to Hilton Head with A. G. Magrath, of South Carolina, and

report to you. The President of the United States directs that Mr. Magrath be confined until further order in Fort Pulaski. Report execution of this order.*

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL ORDERS, No. 109. WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, June 6, 1865.*

Order for the discharge of certain prisoners of war.

The prisoners of war at the several depots in the North will be discharged under the following regulations and restrictions:

I. All enlisted men of the rebel Army and petty officers and seamen of the rebel Navy will be discharged upon taking the oath of allegiance.

II. Officers of the rebel Army not above the grade of captain, and of the rebel Navy not above the grade of lieutenant, except such as have graduated at the U. S. Military or Naval Academies, and such as held a commission in either the U. S. Army or Navy at the beginning of the rebellion, may be discharged upon taking the oath of allegiance.

III. When the discharges hereby ordered are completed, regulations will be issued in respect to the discharge of officers having higher rank than captain in the Army or lieutenant in the Navy.

IV. The several commanders of prison stations will discharge each day as many of the prisoners hereby authorized to be discharged as proper rolls can be prepared for, beginning with those who have been longest in prison and from the most remote points of the country; and certified rolls will be forwarded daily to the Commissary-General of Prisoners of those so discharged. The oath of allegiance only will be administered, but notice will be given that all who desire will be permitted to take the oath of amnesty after their release, in accordance with the regulations of the Department of State respecting the amnesty.

V. The Quartermaster's Department will furnish transportation to all released prisoners to the nearest accessible point to their homes by rail or by steam boat.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *June 6, 1865.*

Major-General DIX, *New York:*

Have John Mitchel, formerly editor of the Richmond Examiner, arrested and sent to Fort Monroe, Va., for confinement and trial. Make the arrangements for his immediate shipment before arrest and give this matter in charge of a discreet officer, who will not let it get out that the arrest is to be made until he has his man.

U. S. GRANT,
Lieutenant General.

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* For correspondence relating to the arrest of Governor Magrath, see Series I, Vol. XLVII, Part III.

FORT MONROE, VA., *June 6, 1865.*

General TOWNSEND:

GENERAL: Shall I furnish Jeff. Davis writing materials to answer Mr. O'Conor's letter, received this a. m.?

Very respectfully,

NELSON A. MILES,
Brevet Major-General of Volunteers.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 6, 1865.

Bvt. Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, Fort Monroe, Va.:

The Secretary of War says you may furnish writing materials to Mr. Davis sufficient for the specific purpose of accepting or declining Mr. O'Conor's offer.

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., June 6, 1865.

Maj. Gen. E. A. HITCHCOCK,
Com. for the Exchange of Prisoners, Washington, D. C.:

GENERAL: I have the honor to acknowledge the receipt of your communication of 20th ultimo asking information relative to a report published in the newspapers to the effect that the rebel authorities had abandoned a body of Union soldiers who had been held as prisoners of war while conducting them within our lines, some of whom had succeeded in reaching this post.

I desire to state in reply that soon after I assumed command of this district, which was in the latter part of April, I received a communication from Maj. Gen. Sam. Jones, at that time commanding the rebel forces in this State, saying that he wished to deliver a number of our prisoners at this point, but I declined to receive them without being authorized to do so. The substance of his letter I at once sent to the major-general commanding the department and asked for instructions, requesting that suitable arrangements might be made for transporting them North, and to supply them in the meantime with clothing and supplies, medical attendance, &c., the supply being limited at this post. Before the receipt of instructions and the supplies asked for arrived I was informed by General Jones that he was unable to care for the prisoners, between 3,000 and 4,000 in number, and that he was somewhat fearful that they would not longer submit to control, and fearful that some might lose their lives, and urged that they be received and in the meantime started them for Lake City, bringing them to Baldwin, a distance of twenty miles, to within a few miles of my lines, when the escort left them on their way.

I received the prisoners and had them properly cared for, the necessary supplies, clothing, &c., arriving about the same time. The prisoners were in a miserable condition and a number of them died after they arrived here. The survivors have all been forwarded North since

that time, the last of the sick and disabled having been sent on board the hospital ship Cosmopolitan on the 20th of May.

I am, general, very respectfully, &c.,

I. VOGDES,
Brigadier-General, U. S. Volunteers, Commanding.

RALEIGH, *June 6, 1865.*

Brig. Gen. JOHN E. MULFORD,
Commissioner of Exchange, Richmond:

Not a word yet from you in answer to my numerous communications. My detention here extremely irksome. I wish to be in Richmond on the same parole as here. If needed as a witness I will be on the spot, though I know nothing whatever of Judge Ould's official matters. If you cannot get me sent to Richmond on parole, please send my wife and children North immediately. My case is a peculiarly hard one.

WILLIAM NORRIS,
Colonel and Commissioner of Exchange, C. S. Army.

OFFICE AGENT OF EXCHANGE,
MILITARY DIVISION OF WEST MISSISSIPPI,
New Orleans, La., June 6, 1865.

Brig. Gen. W. HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to inclose herewith the original rolls of about 1,800 prisoners of war (2,204 in equivalents) delivered over to me by the rebel agent of exchange (Major Szymanski) at the mouth of Red River on the 27th day of May, 1865. Of this number equivalents have already been delivered to and are acknowledged by the rebel authorities of 1,093: the remainder of that number (1,800) have been ordered (as paroled prisoners) to Benton Barracks, Mo. The men paroled, as the rolls indicate by red-ink notes, belong to the following organizations, viz: Seventy-seventh and One hundred and thirtieth Illinois; One hundred and twentieth Ohio; One hundred and sixty-second, One hundred and sixty-fifth, and One hundred and seventy-third New York; Twenty-third Wisconsin; Eighteenth, Twenty-eighth, Twenty-ninth, Thirty-second, Thirty-third, and Thirty-sixth Iowa Infantry. And (with the exception of Captains Fraunfelter and Miller, of the One hundred and twentieth Ohio, and Captain Prescott, of the One hundred and thirtieth Illinois, who are to be included amongst the exchanged) all of the men of these regiments are paroled. The men of all other organizations on the rolls constitute the equivalent of 1,093 to be declared exchanged. I would also respectfully state that the rolls of the (882 men, equal to 1,036 equivalents) rebel prisoners who were delivered to the rebel agent of exchange at the same time and place were forwarded, I am informed, by the commissary of prisoners (Captain Sterling) for this military division.

I am, general, very respectfully, your obedient servant,

WM. McE. DYE,
Colonel and Agent of Exchange, Mil. Div. of West Miss.

[JUNE 6, 1865.—For Pope to Grant and Grant's reply, in relation to the status of Confederate prisoners returning to Missouri, or any of the loyal States, see Series I, Vol. XLVIII, Part II, p. 793.]

BUREAU OF MILITARY JUSTICE, *June 6, 1865.*

The PRESIDENT:

The following report upon the petition of Richard T. Semmes, convicted by military commission of conspiring with others to destroy the city of Chicago and release the rebel prisoners of war there confined, is respectfully submitted:

Semmes was tried, jointly with Charles Walsh, Buckner S. Morris, Vincent Marmaduke, Charles T. Daniel, G. St. Leger Grenfel, and Benjamin M. Anderson, for conspiring with one Captain Hines, alias Doctor Hunter, of the Confederate Army, and others, to accomplish the above stated objects. Of those convicted by the commission Semmes was one, and was sentenced to three years' confinement at hard labor at such place as the commanding general should direct. General Hooker approves the findings and sentence in the cases of all the accused, and designates the penitentiary at Columbus, Ohio, as the place of confinement of the petitioner Semmes.*

At the termination of the trial the entire court, with the exception of Col. Charles D. Murray, united in subscribing to a recommendation that the sentence in the case of R. T. Semmes, the petitioner, be remitted. This recommendation is annexed to the record.† Semmes petitions for pardon and release in a sworn and attested statement in which he declares that he was wholly ignorant of all knowledge of the existence of any such conspiracy (referring to the conspiracy to burn Chicago and release the rebel prisoners) until the same was made publicly known by the arrest of other parties in the city of Chicago, on the morning of the 7th of November, 1864; that conscious of his own innocence, he remained in said city until his own arrest, on the 17th of November, 1864; that upon his trial no witnesses testified to the slightest knowledge on his part of any such scheme or that he had ever uttered one word, or been present when one word was uttered by any person at any time or place, relating to any such conspiracy. He further represents that upon the closing of the testimony for the Government, confident of his immediate acquittal and discharge, his case, by his own desire and the approval of his counsel, was submitted to the judgment of the commission without the introduction of testimony and without argument in his defense. The petitioner admits that he was a member of the Order of the Sons of Liberty, but supposed it to be a purely political and lawful organization. He states that he has now no doubt "but that there were persons connected with said order (and some of them in high positions therein) who did entertain treasonable designs against the Government and who designed, if possible, to make use of that order to accomplish their purposes." But he avers his utter ignorance of all such designs and purposes, and declares that he would have been at all times wholly opposed to them. He refers to the case of Judge Buckner S. Morris, a very prominent member

* See April 21, p. 502.

† Published in Executive Document No. 50, House of Representatives, Thirty-ninth Congress, second session.

of the Order of Sons of Liberty, acquitted by the commission under the same charges upon which the petitioner was found guilty, and he declares his belief that "had he had the benefit of the testimony for the defense applicable to both Judge Morris and himself, the petitioner also would have been acquitted." He states further that he is but twenty-two years of age; that he is the son of S. M. Semmes, for many years past a well-known lawyer of Maryland and who has always been a loyal citizen in his political views and in his conduct; that he has never been in the Confederate service; never favored the doctrine of secession, and has never entertained for a moment any idea of resistance to the Government of the United States. He begs that the President will consult Colonel Burnett, judge-advocate, and Colonel Wisewell, a member of the commission, upon the merits of his case.

The statements in the foregoing petition are declared to be strictly reliable by T. W. Bartley and Thomas M. Key, counsel for Semmes and Judge Morris on their trial; and they state that the explanatory evidence given on the defense of Morris and on which he was acquitted, as fully exculpated Semmes as it did Morris.

The absence of Colonel Murray's name from the recommendation to pardon is explained in a note to the petition signed by Thomas M. Key, esq., to the following effect:

> The name of Colonel Murray, the president, is not attached to the recommendation; but I am informed by Colonel Lathrop, of the commission, that Colonel Murray instructed him to attach his signature, which was not done for want of access to the paper.

The record of the trial of the petitioner and his co-defendants has been carefully examined. Its great magnitude, and the consequent length of time required for its critical and intelligent study, have prevented an earlier preparation of this report. The conclusion arrived at by this Bureau is, that the petitioner committed an error in submitting his case to the determination of the commission at the close of the evidence for the prosecution without waiting for the introduction of the testimony for the defense. Although confessedly a member of the treasonable Order of Sons of Liberty, and in so far culpable, it is believed that the evidence is extremely slight which goes to fasten upon him a knowledge of the evil designs of the more prominent members of the order. A study of the record makes it clear that a large majority of the members of the society, though bound together by oaths and principles of a nature which should have opened their eyes to the danger and disloyalty of their course, were kept in intentional ignorance of the deliberately treasonable purposes of their leaders, and it is believed that Semmes is to be classed with this cheated and uninstructed majority. The influence and authority of Semmes in the order are shown to have been so trifling in themselves, and especially when contrasted with the prominent position held therein by Judge Morris, whose tongue was never weary in the utterance of disloyal sentiments at the frequent meetings of the society, and whose political proclivities may be known from the simple fact that he belonged to the so-called peace wing of the Democratic party, that it is difficult to escape the belief that Semmes' impatience of longer confinement, the result of a consciousness of his innocence of intentional treason, has been the chief cause of his conviction of the fearful crimes for which he has been brought to trial. Had he waited with patience for the legitimate conclusion of the trial, it is thought that the same influences which led the commission to acquit the far more guilty Morris would have operated to effect the release of Semmes.

It is respectfully recommended that the petitioner be pardoned and discharged.

In absence of the Judge-Advocate-General:

A. A. HOSMER,
Major and Judge-Advocate.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, June 7, 1865.

Maj. Gen. E. A. HITCHCOCK,
Agent and Com. of Exchange of Prisoners, Washington, D. C.:

GENERAL: In addition to the statements in my letter of the 2d instant in the matter of the boys, Charles Fairfax Revaleon and Charles Gerrish Amos, captured in Texas with a portion of the Forty-second Massachusetts Regiment, I have the honor to state that I am to-day informed by Mrs. Revaleon that the only intelligence that she has received concerning her son is from one Hersey, a private in the Forty-second, who told her on his return that her son was sent to Houston and was living with a Judge Wheelock. She was told by another person that both the boys, who are related, were together in the prison at Galveston as slaves of the keeper of the prison. The relatives of these boys are very respectable people, and are well known in their occupation to very many of our best citizens.

His Excellency the Governor directs me to thank you for your attention to this matter and to express his hope that no effort will be spared to recover them.

I have the honor to be, very respectfully, your obedient servant,

H. WARE,
Major and Acting Military Secretary.

[Indorsement.]

OFFICE COMMISSIONER OF EXCHANGE.

A copy of the within was sent to General Canby June 12, 1865, with an indorsement by General Hitchcock referring the same to General C. for consideration, with note from General H. of 5th instant.

DEPOT OF PRISONERS OF WAR,
Hart's Island, New York Harbor, June 7, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: A considerable tendency to scurvy prevails among the prisoners at this depot, and the purchase of fresh vegetables is strongly urged by the medical officers. If the whole are thus supplied the expenditure will be large, and it is difficult to discriminate. I have to request to know your views in this matter, as I think the matter should be attended to at once, unless there is a fair prospect of their speedy release.

Respectfully, your obedient servant,

H. W. WESSELLS,
Brigadier-General of Volunteers, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 8, 1865.

Bvt. Maj. Gen. N. A. MILES, U. S. Volunteers,
Comdg. District of Fort Monroe, Old Point Comfort, Va.:

SIR: Your letter of the 6th instant has been received, inclosing one addressed, under cover of Colonel Roberts, to Jefferson Davis.

The Secretary of War directs me to say that no authority can be claimed by, or must be accorded to, any person to see Mr. Davis on the score of permission being given by the War Department, unless such permission is exhibited in writing and duly signed by the Secretary or the Adjutant General. The Secretary desires you not again to admit Rev. Mr. Chevers, chaplain at Old Point, to see Mr. Davis without special instructions to that effect.

I telegraphed in answer to your inquiry concerning writing materials as follows, June 6:

The Secretary of War says you may furnish writing materials to Mr. Davis sufficient for the specific purpose of accepting or declining Mr. O'Conor's offer.

I am, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 8, 1865.

Bvt. Brig. Gen. M. BURKE,
Commanding Fort Lafayette, New York Harbor:

GENERAL: In reply to your letter of the 5th instant, in reference to the rations to be issued to the prisoners of state, I beg to inform you that under the orders of the War Department the reduced rations will be issued.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

ADJUTANT-GENERAL'S OFFICE, *June 8, 1865.*

Maj. Gen. Q. A. GILLMORE, U. S. Volunteers,
Commanding Department of the South, Hilton Head, S. C.:

In reply to your report of the capture of Mr. Yulee the President directs that he be confined until further orders in Fort Pulaski.* Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 9, 1865.

Brig. Gen. H. W. WESSELLS,
Commanding Hart's Island, New York Harbor, N. Y.:

GENERAL: In reply to your letter of the 7th instant in reference to the tendency to scurvy among the prisoners of war at Hart's Island I beg to say that General Orders, No. 109, inclosed to you yesterday, will very soon relieve you of all the prisoners, and in the meantime, if you find it desirable, you can order the purchase of vegetables from the

* For other correspondence in relation to the arrest of Mr. Yulee, see Series I, Vol. XLVII, Part III.

prison fund so far as they are deemed indispensable by the surgeon in charge.

Very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS FORT MCHENRY, MD., *June 9, 1865.*

Bvt. Brig. Gen. WILLIAM HOFFMAN,

Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to request that you will please inform me as to whether any of the within named parties, who were captured with Jeff. Davis and family, will be released under General Orders, No. 109, War Department, Adjutant-General's Office, dated Washington, D. C., June 6, 1865.

I am, very respectfully, your obedient servant,

JOHN F. MOUNT,

Major, Seventh New York Artillery, Commanding Post.

Maj. Victor Maurin, Capt. George V. Moody, First Lieut. Leland Hathaway, Midshipman Jeff. D. Howell, Private John Messick, Private William M. Monroe.

SPECIAL ORDERS, No. 4.

HEADQUARTERS U. S. FORCES ON THE RIO GRANDE, *Brazos Santiago, Tex., June 9, 1865.*

1. Col. Charles Black, provost-marshal-general, will proceed to Brownsville, Tex., for the purpose of paroling all prisoners of war at that place, in accordance with the terms of the convention agreed upon between Maj. Gen. E. R. S. Canby and General E. Kirby Smith.

* * * * * * *

Brig. Gen. E. B. Brown, commanding at Brownsville, will designate the proper officers to receive the surrendered property, and will render such other assistance as may be necessary.

* * * * * * *

By order of Maj. Gen. F. Steele:

JOHN F. LACEY,

Captain and Assistant Adjutant-General.

WAR DEPARTMENT, *Washington, D. C., June 10, 1865.*

Maj. Gen. E. R. S CANBY, *New Orleans:*

Send Governor Moore to Fort Pulaski.*

EDWIN M. STANTON,

Secretary of War.

OFFICE COMMISSARY OF PRISONERS,

Camp Douglas, Ill., June 10, 1865.

Lieut. Gen. U. S. GRANT, *Commanding General U. S. Army:*

GENERAL: We, the undersigned, (late) officers in the Confederate Army, do respectfully represent to you that, under an agreement made

*For correspondence relating to Governor Moore not published in this series, see Series I, Vol. XLIX, Part II.

between yourself and General Lee for the supply of prisoners of war, we were ordered on our parole from Johnson's Island in the month of February last, for the purpose of distributing the proceeds of cotton sold in New York to prisoners of war confined at Camp Douglas. We respectfully represent that our mission has terminated some time ago, and we have made an application, through these headquarters and approved by the commanding general of this post, either to be paroled upon the terms granted by yourself to our respective commands, or that we may be allowed to return to our families (from whom we have been absent during the progress of the war) upon taking the oath of allegiance. These applications were made shortly after the surrender of General Lee's army to you at Appomattox Court-House, and prior to the late proclamation of amnesty by the President, and as they have not been acted upon, we are induced to renew our most earnest application to you, either to extend the limits of our parole, that we may be allowed to return to the bosom of our families, or upon taking the oath of allegiance we may be released from imprisonment.

Hoping, general, that you will fully appreciate our present anomalous position as prisoners of war in peace times, and will so act as to secure our release,

We are, very respectfully, your obedient servants,

MILTON D. BABER,
Colonel Forty fifth Arkansas Regiment.
WM. C. CLIFTON,
Lieutenant-Colonel Thirty-ninth Alabama Regiment.
A. L. MCAFEE,
Major, Sixth Confederate Battalion of Cavalry.

[First indorsement.]

HEADQUARTERS POST OF CHICAGO,
Camp Douglas, Ill., June 10, 1865.

Respectfully indorsed. The facts are as stated in the within application. The deportment, conversation, spirit, and entire conduct of the within named applicants since their arrival at this post, February 20, 1865, has been such as to win my strong personal regard and official confidence. Believing that to grant their request would do them a kindness and could work no injury to the cause of the Government, but advance its interests, I respectfully recommend them to be discharged from custody on such terms as shall be deemed best.

B. J. SWEET,
Brevet Brigadier-General, Commanding Post.

[Second indorsement.]

Respectfully forwarded to the Secretary of War with the recommendation that all rebel officers who were paroled for the purpose of distributing supplies to Confederate prisoners be permitted to go to their homes on parole.

U. S. GRANT,
Lieutenant-General.

[Third indorsement.]

WAR DEPARTMENT, *June 15, 1865.*

Approved and referred to General Hoffman.

E. M. STANTON,
Secretary of War.

WASHINGTON, *June 10, 1865.*

Maj. J. F. MOUNT,
Commanding Fort McHenry, Baltimore, Md.:

The prisoners of war reported in your letter of the 9th instant will be held till further orders.

W. HOFFMAN,
Commissary-General of Prisoners.

RICHMOND, VA., *June 10, 1865.*

Brigadier-General GORDON,
Commanding District of Eastern Virginia, Norfolk, Va.:

You will retain in the military prison in Norfolk all such prisoners as were sent there for offenses for the commission of which they were subject to the Articles of War. All others will be turned over to the civil authorities. You will discharge every civilian employed in the prison and fill their places by details from the troops under your command.

By order of Major-General Ord:

N. M. CURTIS,
Brevet Major-General, U. S. Volunteers, and Chief of Staff.

GENERAL COURT-MARTIAL ORDERS, No. 283.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, June 12, 1865.*

In compliance with General Orders, No. 98, War Department, Adjutant-General's Office, May 27, 1865, the sentences of the following-named prisoners, now in confinement for "during the war," are remitted, and the prisoners will be immediately discharged upon taking the oath of allegiance:

ALBANY PENITENTIARY.

1. John R. H. Embert, now or late of the so-called Confederate Army.

CHARGE I: Acting as a spy.

CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.

FINDING: Guilty.

SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.

2. Samuel B. Hearn, now or late of the so-called Confederate Army.

CHARGE I: Acting as a spy.

CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.

FINDING: Guilty.

SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.

3. Braxton Lyon, now or late of the so-called Confederate Army.

CHARGE I: Acting as a spy.

CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.

FINDING: Guilty.

SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF WEST TENNESSEE,
Memphis, Tenn., June 12, 1865.

Col. T. S. BOWERS,
Assistant Adjutant-General, Washington, D. C.:

Under the ruling of Attorney-General Speed paroled prisoners of war cannot return to their former homes in the loyal States. The paroles of the men, however, make no exceptions, and they think they are entitled to go to their homes by the terms of the surrender of the rebel armies. Many of them arrive at this point daily, destitute, expecting to go to Missouri, Kentucky, and elsewhere, and have been told by officers that transportation would be furnished by the Government. While it is true that they are not entitled to transportation or subsistence by the Government, yet I would respectfully submit the question if it would not be better to send them home than that they should be allowed to encumber and depredate upon the community, which their destitute condition will compel them to do if not assisted. It is true they might be billeted on the people here—rebel sympathizers, if you please—but this would not be just, as nearly all have complied with the conditions imposed by Government. I respectfully ask if all who are not excepted in the late proclamation who desire to go to the loyal States may not be permitted to do so by taking the oath of allegiance, and the Quartermaster's Department furnish transportation for those who are destitute.

The policy or regulations for the changed condition of the negro should be taken into serious consideration. The most serious difficulty is compensation for his services. This necessarily must be left discretionary with the employer, but something should be done by which the employer can be protected as well as the employé. This in time will regulate itself, but in the present embryo state of the negro, most of whom think freedom means that they are no longer required to work and have a right to appropriate to themselves all they can get, I would respectfully suggest that all contracts for labor at present be made on the part of the negro by the superintendent of freedmen, whose duty it would be to protect both parties.

Respectfully, &c.,

JNO. E. SMITH,
Brevet Major-General.

[Indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
June 26, 1865.

Respectfully returned.

So much of this communication as relates to freedmen has been referred to General Howard, Commissioner of the Bureau of Freedmen, &c.

Under the agreement made by General Canby, paroled prisoners of war are entitled to transportation to the nearest practicable points to their homes, and you are authorized and directed to furnish them transportation accordingly.

By command of Lieutenant-General Grant:

T. S. BOWERS,
Assistant Adjutant-General.

[JUNE 13, 1865.—For Lee to Grant and Grant's reply (June 20) in relation to indictment of paroled prisoners by grand jury at Norfolk, Va., see Series I, Vol. XLVI, Part III, pp. 1275, 1286.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 13, 1865.

Bvt. Brig. Gen. MARTIN BURKE, U. S. Army,
Commanding Fort Lafayette, New York Harbor:
(Through Headquarters Department of the East, New York City.)

SIR: In reply to the request of Messrs. Mallory and Hill, dated the 7th instant, not to be confined separately in Fort Lafayette, the Secretary of War directs me to say that he has no objection to their being in the same room, provided their safe custody is insured and that they have no communication with persons outside.

I am, sir, &c.,
E. D. TOWNSEND,
Assistant Adjutant-General.

[JUNE 13, 1865.—For order directing arrest of L. B. Northrop, see Series I, Vol. XLVI, Part III, p. 1276.]

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, June 13, 1865.

Major-General SCHOFIELD, *Raleigh:*

You will arrest Col. William Norris, late Confederate commissioner of exchange, and send him to provost-marshal at this place. He is supposed to have had money in his possession which belonged to our prisoners of war. This should be secured if possible and an account sent here. Also send here all books and papers of Captain Morfit turned over or found there. The whole matter is being investigated by a commission.*

H. W. HALLECK,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., June 14, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for the Exchange of Prisoners, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of the 5th instant relating to two colored boys who accompanied the Forty-second Massachusetts Volunteers from Boston, were captured during the expedition to the Sabine River in the spring of 1864, and subsequently sold into slavery at Houston, Tex. In my stipulations for exchange with the insurgents west of the Mississippi I have always made it a rule to require that persons of this character should be regarded as prisoners of war, and I know of no individual cases in which this has been complied with. As Texas is now within the limits of General Sheridan's command, I have referred your communication for his action.

I am, sir, very respectfully, your obedient servant,
ED. R. S. CANBY,
Major-General, Commanding.

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*For correspondence relating to Colonel Norris not published in this series, see Series I, Vol. XLVII, Part III.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 14, 1865.

Brigadier-General RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

Send all rebel officers who are not to be released under General Orders, No. 109, to Johnson's Island under suitable guard.

W. HOFFMAN,
Commissary-General of Prisoners.

RICHMOND, VA., *June 14, 1865.*

Major-General SCHOFIELD, *Raleigh:*

Send here all prisoners, papers, and witnesses connected with the disposition of funds, &c., sent to our prisoners of war through Richmond.

H. W. HALLECK,
Major-General, Commanding.

WAR DEPARTMENT,
Washington City, June 15, 1865—11.30 a. m.

Major-General MILES, *Commanding at Fort Monroe:*

By order of General Grant, General Dix has arrested John Mitchel, at New York, and sent him to Fort Monroe, to be delivered to your charge. You will keep him a close prisoner, allowing him communication with no one. Inform this Department when he arrives at the fort. He is on board the steamer Henry Burden.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, D. C., *June 16, 1865.*

Lieut. Gen. U. S. GRANT,
Comdg. Armies of the United States, Washington, D. C.:

GENERAL: I have the honor to return herewith the reports of Major Davis upon the condition of the prison depot at Johnson's Island, Ohio, and Rock Island, Ill., with the following remarks:*

The report of Major Davis doubtless gives a very fair view of the state of the command at Johnson's Island. The undersigned deems the One hundred and twenty eighth Ohio Volunteers as ample guard for the depot, and he concurs with Major Davis in the belief that the other regiment, Sixth Veteran Reserves, may with propriety be ordered to other service. The forts were not erected on the recommendation of the undersigned, and they are not now necessary for the defense of the island. The hospital reported by Major Davis as recently erected was authorized by the Secretary of War in September last, and the barracks were ordered by Major General Hooker in November. The plan in use for the safe-keeping and disbursement of the private funds of prisoners has been found by experience to be a very good one; very few cases have occurred where money of prisoners in the hands of the commanding officer has not been properly accounted for. To put it in the hands of a prisoner would be to place it beyond the reach of responsibility, and to require the accounts to pass through this office

* Davis' reports omitted.

would occasion much expense and labor for a matter purely for the private benefit of prisoners of war, but with very little advantage to them. Any excess of employés or means of transportation will be dispensed with.

The report of Major Davis in regard to Rock Island is doubtless also correct. The relief of the One hundred and eighth Colored Infantry would have been recommended ere this, but the size of the camp is such that a small number of prisoners require nearly as many men to guard them as a large number. In view of the speedy release of all prisoners at Rock Island it is now recommended that this regiment be assigned to other duty. The remarks in reference to private funds of prisoners at Johnson's Island apply equally well to Rock Island. Money sent to prisoners has perhaps been too often kept from them by the dishonesty of those who had the examining of their letters, but when funds are once in the hands of the commanding officer there is rarely any loss, and it is believed that in the few cases where such things have unavoidably occurred the money has been made good to the prisoners.

The post fund is accounted for under the Army Regulations to the Adjutant-General and not to this office. The account of the prison fund is rendered to this office, and the amount shows that it is well administered. The weekly report made to this office of the condition of the depot shows a better state of police than is reported by Major Davis.

The depot at Rock Island is too large to be occupied by a small number of prisoners, and for such as may remain in custody it is respectfully recommended that Fort Delaware be used in preference. If it is desirable to relieve the fort of the presence of prisoners, Camp Chase is recommended as being next most convenient, it being very central and being divided into three prisons, where officers, soldiers, and citizens may be confined separately.

The barracks at Rock Island for guard and prisoners are very good, and the inclosure may be so divided at no great cost as to make it convenient to hold a small or large number of prisoners there. There will probably not be over 250 officers to be held after the execution of General Orders, No. 109.

I respectfully suggest that Capt. Matthew H. Kollock, of the One hundred and eighth U. S. Colored Troops, reported as deserted from the naval service, is unfit to hold a commission in the army.

I deem it proper in this place respectfully to suggest that quite extensive works having been erected on Johnson's Island, it would be advisable before returning it to its owner to decide the question as to the propriety of securing it for the location of a naval station for the defense of the northern frontier.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,

Washington, D. C., June 16, 1865.

Lieut. Gen. U. S. GRANT,

Commanding U. S. Army, Washington, D. C.:

GENERAL: I have the honor to inclose herewith lists* of citizen prisoners in confinement at various military prisons without charges or not

*Omitted.

under sentence. Some at Nashville are awaiting sentence. I respectfully suggest that all who are not charged with any offense, and those against whom there are no serious charges upon which they may be immediately tried, be at once released on their taking the oath of allegiance.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., June 16, 1865.

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: Inclosed I have the honor to forward the corrected letter of the prisoner Davis to Charles O'Conor, New York City.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General, Commanding.

[Inclosure.]

FORTRESS MONROE, VA., *June 15, 1865.*

CHARLES O'CONOR, Esq., &c., *New York, N. Y.:*

MY DEAR SIR: On the 7th instant I addressed you a letter and sent it to the commanding officer at this place for transmission; it has this day been returned to me because of objection made at Washington to a sentence in regard to those who you informed me had taken notice of my case. That sentence being omitted, the following is a copy of the letter above referred to:

FORTRESS MONROE, VA., *June 7, 1865.*

CHARLES O'CONOR, Esq., &c.:

MY DEAR SIR: Yours of the 2d instant was laid before me yesterday, and to-day permission has been granted to me to make a specific reply to your offer. Formally, then, I accept your tender of services as my counsel and offer my grateful acknowledgments for your kindness. * * *

After my capture as a prisoner of war the proclamation publicly accusing me and offering a reward for my arrest reached the section where I then was. Since my arrival here all knowledge of passing events has been so rigorously excluded that I am quite ignorant as to any proceedings instituted against me, as well as the character of the evidence on which they could have been founded, and consequently cannot judge what kind of testimony will be required for my vindication.

Though reluctant to tax you with the labor of coming here, I must, for the considerations indicated, request you to obtain the requisite authority to visit me for the purpose of a full conference.

Again tendering to you my sincere thanks, I am, very respectfully and truly, yours,

JEFF'N DAVIS.

I have adhered to the former mode of expression rather than any which might more fully present my wishes, because it is not likely to be regarded objectionable, the only matter excepted to having been omitted, and hope this may reach you at an early day and satisfactorily explain the delay of my reply to your magnanimous interposition in my behalf.

I am, very sincerely, yours,

JEFF'N DAVIS.

[Indorsement.]

The letter of which above is copy was received Adjutant-General's Office June 17, 1865, and submitted to the Secretary of War, who directed me to transmit it to Attorney-General with letter below:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
June 17, 1865.

Hon. JAMES SPEED, *Attorney-General:*

SIR: By direction of the Secretary of War I have the honor to transmit herewith a letter from Jefferson Davis to Mr. Charles O'Conor, of New York, to be forwarded or otherwise disposed of as you deem proper.

I am, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., June 16, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: Original rolls of the paroled Union prisoners received from Confederate authorities near Baldwin, Fla., were forwarded to you by mail May 12, 1865.

If men of the Seventy-fifth Ohio, One hundred and seventh Ohio, and Seventeenth Connecticut remained behind they did so by deserting either from camp or hospital. They will be forwarded at once.

Respectfully, your obedient servant,

Q. A. GILLMORE,
Major-General.

CIRCULAR.] OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 17, 1865.

Pursuant to instructions from Lieutenant-General Grant, commander-in-chief, you will immediately release, on their taking the oath of allegiance, all citizen prisoners in your custody who have no charges against them, or against whom there are no serious charges upon which they may be immediately brought to trial. Doubtful cases will be referred to this office. Rolls of those released under the order will be immediately forwarded to this office; also rolls of those retained after the execution of the order.

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HEADQUARTERS MILITARY DIVISION OF THE JAMES,
Richmond, Va., June 17, 1865.

Brevet Brigadier-General HOFFMAN,
Commissary-General of Prisoners, Washington:

Much complaint is made that prisoners have nothing to eat from Point Lookout to Richmond for thirty-six to forty-eight hours; no care of the sick, and that they are landed without notice to military authorities here. Rations for the voyage should be given at Point Lookout, and the sick should not be put ashore at Rocketts till ambulances and stretchers are ready to take the sick to hospitals.

H. W. HALLECK,
Major-General, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., June 17, 1865.

Bvt. Col. EDWARD W. SMITH, *Assistant Adjutant-General:*

COLONEL: General Halleck's order confining C. C. Clay requires that two sentinels be constantly in the cell with him, the relieving of which during the night disturbs and frets him very much. As he is not in good health, and as he gave himself up, I would respectfully recommend that they be posted outside the grated doors which connect the cell with the room in which the officer of the guard is stationed, and where they can watch the prisoner just as well as if inside.

Mr. Clay desires to have the work entitled Bishop ——— Evidences of Christianity permitted him. I respectfully ask if it can be granted.

I am, colonel, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., June 17, 1865.

Received from Maj. Gen. John A. Dix, per Second Lieut. William H. Morris, Twentieth New York Independent Battery, one prisoner named John Mitchel, late editor of the Richmond Examiner.

JOHN S. McEWAN,
Captain and Acting Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 17, 1865.

CHARLES O'CONOR, Esq., *New York City:*

SIR: I am directed by the Secretary of War to acknowledge your letter of the 15th addressed to him, received this morning, and to inform you in reply that your letter tendering your service as counsel to Jefferson Davis was duly delivered to him. A reply was forwarded under cover to me which, by direction of the Secretary of War, was referred to the Attorney-General, who, deeming it an improper communication, advised its return to Mr. Davis for correction. It was returned accordingly, since which time nothing further has been received from Mr. Davis by this Department.

Your application that you or your associate should have a personal interview with Mr. Davis is deemed inadmissible at present. This Department being now charged only with the custody and safe-keeping of Mr. Davis, any further communications in reference to him you will please address to the Attorney-General.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, June 17, 1865.*

The answer of Jefferson Davis to Charles O'Conor was submitted by me to the Secretary of War day of its receipt; by his order taken to Mr.

Seward, Secretary of State, who retained it, saying he would communicate directly with the Secretary of War. To day Mr. Dana, Assistant Secretary of War, stated it was returned with Mr. Seward's remark "it ought not to be sent to O'Conor in its present form," and Mr. Dana took it (last Monday, the 12th instant) to Mr. Speed, Attorney-General, who gave same decision, and Mr. Dana returned it to General Miles with that decision.

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 18, 1865.

Col. T. INGRAHAM,
Pro. Mar. Gen., Defenses North of the Potomac, Washington, D. C.:

COLONEL: I am directed by the Commissary-General of Prisoners to inform you that the circular order in relation to the release of citizen prisoners does not apply to those arrested by order of the Secretary of War in connection with the assassination of the late President.

I am, colonel, very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, June 18, 1865—12.30 p. m.

Maj. Gen. JOHN A. DIX, *Commanding, &c., New York:*

On the arrival of the steamer Constitution from New Orleans you will commit G. W. Gayle, who comes in charge of Captain Mehaffey, of General Canby's staff, to Fort Lafayette, and send Graves and Cantley to this city with Captain Mehaffey.*

By order of the Secretary of War:

C. A. DANA,
Assistant Secretary of War.

HEADQUARTERS DISTRICT OF FLORIDA,
FOURTH SEPARATE BRIGADE, DEPT. OF THE SOUTH,
Jacksonville, Fla., June 18, 1865.

Maj. W. L. M. BURGER,
Assistant Adjutant-General, Department of the South:

MAJOR: I have the honor to report, in accordance with instructions from department headquarters, that D. L. Yulee and A. K. Allison, of Florida, have been sent under the charge of Captain Bryant, Thirty-fourth U. S. Colored Troops, to Fort Pulaski, Ga.

I am, major, very respectfully, your obedient servant,

I. VOGDES,
Brigadier-General of Volunteers, Commanding.

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* For correspondence relating to G. W. Gayle, not published in this series, see Series I, Vol. XLIX, Part II.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
OFFICE PROVOST-MARSHAL-GENERAL,
Saint Louis, Mo., June 19, 1865.

Surgeon RANDOLPH,
Medical Director, Dept. of the Missouri, Saint Louis, Mo.:

SIR: The major-general commanding has directed that such paroled rebels as are unable to proceed to their homes shall be received into the military hospitals and medical aid rendered them. A large number of paroled men are here on the levee, some of whom are too sick to move and are in a very bad condition. Will you please notify me immediately to what hospital or hospitals they must be sent, in compliance with the general's directions?

Very respectfully,

J. H. BAKER,
Colonel and Provost-Marshal-General.

[Indorsement.]

MEDICAL DIRECTOR'S OFFICE,
Saint Louis, Mo., June 19, 1865.

Respectfully returned to the provost-marshal-general Department of the Missouri, with the information that ambulances have already been sent to the levee to remove the within-named men to Schofield Barracks. Those who cannot be accommodated there will be sent to the Marine General Hospital.

JNO. F. RANDOLPH,
Surgeon, U. S. Army, and Medical Director.

HEADQUARTERS DISTRICT OF TEXAS,
Galveston, Tex., June 19, 1865.

THOMAS CAROTHERS,
Superintendent Texas Penitentiary, Huntsville, Tex.:

SIR: By direction of Major-General Granger, commanding, you will without delay send to this place, under proper escort to secure their safety, all negroes now in your custody who have been placed there because of capture from the U. S. forces, or on account of the law of Texas under recent rule directing the imprisonment or assignment to masters of all the free persons of color within the State. You will also send under proper escort all persons who are confined in the penitentiary solely on account of unfriendly disposition toward the late Confederate authority. It is the design to have thus sent all persons guilty of offenses which are not acknowledged to be offenses against justice equally in the Northern and Southern States. You will continue to use all proper means necessary to prevent violence against the persons and property in your charge. General Granger desires that you report here as soon as practicable with full lists of all prisoners, and full statements in each case of the crimes for which they have been sentenced to punishment. In sending here the men directed to be sent you will have full statements of the cases accompany them.

Very respectfully, your obedient servant,

F. W. EMERY,
Major and Assistant Adjutant-General.

HEADQUARTERS FORT DELAWARE, DEL., *June 20, 1865.*

Bvt. Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to report that telegraphic orders direct from the Secretary of War prohibit all communication with or between Colonels Lubbock and Johnston, either verbally or in writing, and I will therefore hold the letter you inclosed to me on the 17th instant for delivery to Colonel Johnston, until you inform me whether I have misinterpreted the order, a copy of which I herewith inclose.*

I am, general, very respectfully,

A. SCHOEPF,
Brigadier-General.

DEPOT FOR PRISONERS OF WAR,
Hart's Island, N. Y., June 20, 1865.

MEDICAL INSPECTOR-GENERAL U. S. ARMY:

COLONEL: I have just completed the inspection at this depot, required by your order of June 17, respecting the causes of mortality, &c., among the prisoners. The camp will be cleared of prisoners during the week, and as my report will necessarily be delayed in completion for a few days, I would respectfully recommend that those remaining in hospital be transferred to Davids Island; that the hospital attendants (who are prisoners) may also be discharged. General Wessells informs me that he will require authority from the Commissary-General of Prisoners, also an order to the medical director, to authorize the transfer.

I have the honor to be, very respectfully, your obedient servant,

GEO. H. LYMAN,
Lieutenant-Colonel and Medical Inspector, U. S. Army.

[First indorsement.]

MEDICAL INSPECTOR-GENERAL'S OFFICE, *June 22, 1865.*

Respectfully referred to the Surgeon-General U. S. Army.

JNO. M. CUYLER,
Medical Inspector, U. S. Army, Actg. Medical Inspector-General.

[Second indorsement.]

SURGEON-GENERAL'S OFFICE, *June 23, 1865.*

Respectfully referred to Medical Director Sloan, U. S. Army, for remark.

By order of the Surgeon-General:

W. C. SPENCER,
Assistant Surgeon, U. S. Army.

[Third indorsement.]

MEDICAL DIRECTOR'S OFFICE, DEPT. OF THE EAST,
New York, June 24, 1865.

Respectfully returned, with the report that the sick rebel prisoners remaining at Hart's Island (thirty-seven in number) are now in the

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* See Stanton to Schoepf, May 23, p. 569.

post hospital at that post. There is no objection to their transfer to De Camp Hospital, Davids Island.

WM. F. EDGAR,
Surg., U. S. Army, Acting Medical Director, Dept. of the East.

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, La., June 20, 1865.

Lieut. Col. C. T. CHRISTENSEN,
Asst. Adjt. Gen., Department of the Gulf, New Orleans, La.:

COLONEL: So far as at present practicable, at a meeting with Major Szymanski this morning, the business of the office of agent of exchange of the Military Division of West Mississippi is closed. The papers and property pertaining to the office I have the honor to send to your care. The interview of this morning leaves the business thus: Federal prisoners all released and exchanged, excepting 1,111, who were recently sent to Benton Barracks on parole.

Lists of deaths in Trans-Mississippi Department of Federal prisoners up to date inclosed. No effects turned over to me. However, Major Szymanski informs me that there is a small sum of money to be accounted for. Before leaving Shreveport he requested that any further information in regard to deaths be forwarded to him, that he might be enabled to account properly for all prisoners; if deceased, their effects.

At any future time I shall be glad to furnish any further information in my power in reference to the business of the office. I should have stated that the money accruing from the sale of fifty bales of cotton is in the hands of Provost-Marshal-General Starring, to be expended under the associate supervision of himself and Major Szymanski for the benefit of Louisiana prisoners.

I am, colonel, very respectfully, your obedient servant,

WM. McE. DYE,
Colonel and Late Agent of Exchange, Mil. Div. of West Miss.

SPECIAL ORDERS, } HDQRS. DEPARTMENT OF THE MISSOURI,
No. 165. } *Saint Louis, Mo., June 20, 1865.*

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5. Col. J. H. Baker, provost-marshal-general, will at once cause the prisoners confined at the military prison at Alton, Ill., to be removed to Gratiot Street Prison, Saint Louis, Mo. All quartermaster's, commissary, ordnance and medical stores will be turned over to the chiefs of the respective staff departments. On vacating the prison at Alton a guard of one officer and five men will be left to take charge of public buildings and property. The Commissary-General of Prisoners will be notified that the further use of the military prison at Alton, Ill., is not required. As soon as the provisions of this order have been complied with notice to that effect will be given to these headquarters.

By command of Major-General Dodge:

J. W. BARNES,
Commissary-General of Prisoners and Asst. Adjt. Gen.

HEADQUARTERS TENTH ARMY CORPS,
Raleigh, N. C., June 20, 1865.

General HEATH, *Commanding Cavalry:*

GENERAL: I spoke to General Schofield on the subject presented by you this morning. He said his memory of the correspondence between Governor Vance and General Johnson was so indistinct that he did not feel justified in writing the letter requested. The papers had been sent to Washington and could not be referred to. He stated that the impression made upon his mind was that General Johnson made every effort to ameliorate the condition of our prisoners; that he did what he could do in the face of the authorities to whom he was responsible, and acted in the most humane and kindly way. He stated that General J[ohnson] promised to give him a written statement of the facts in connection with the treatment of our prisoners. This he had not received. He thought that this statement, forwarded to Washington with a request for copies of his correspondence with Governor Vance, would meet with a favorable consideration and would result in having him furnished with the desired official copies.

Yours, &c.,

A. AMES,
Brevet Brigadier-General.

FORT LAFAYETTE, *June 21, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States:

Mr. PRESIDENT: I have the honor to petition to you for a pardon and for the restoration to me of the rights of a citizen of the United States. As my confinement here precludes me from the necessary information as to the rules and regulations to which this petition should conform, I trust that it may not be rejected for informality. I am anxious to do all that may be essential to obtain a pardon, and the enjoyment of civil and political rights, to take the oath of allegiance, and in good faith to assume, maintain, and observe all the duties and obligations of a citizen of the United States, and if any special form be necessary to this petition I have the honor to request that either by means of a parole or otherwise I may be permitted to ascertain and comply with it. While unwilling to advert to others whose antecedents or present positions may be analogous to mine, or to suggest comparisons between relative claims to executive consideration or clemency, I deem it proper to state frankly certain circumstances of my own case. I am now over fifty years of age, and from the casting of my first vote to the secession of my State my political life, as exemplified in faith, words, and acts, was devoted to the maintenance of the Union. No man was more ardently attached to or evinced his attachment more consistently than myself, within my limited sphere of action. I was never a member of a convention or of the Legislature of my State, and never advised or counseled her secession. When first elected to the U. S. Senate, an honor conferred without my knowledge or request, I received, though known to be a Democrat, the vote of the Whig party in the Legislature, because, among other considerations, I was known to be opposed to disunion in any form, and I can appeal with confidence to the record of my ten years' service in that body, no less to the personal knowledge of my colleagues there, among whom I have the honor

to include yourself and Governor Seward, to show that no word or sentiment of disloyalty to the Union ever escaped me. Florida, by a convention of her people, formally seceded, and at the command of the convention, through her Governor, I withdrew from the Senate, an act which, in view of its causes and attendant circumstances, was the most painful of my career, and retired to private life. Such having been my political status up to the withdrawal of my State from the Union, I never was and never can be regarded as a leader of secession.

When the political success of the Republican party culminated in the election of Mr. Lincoln the conviction of the Southern mind that it would pursue a course of unjust, unequal, and class legislation toward the South, as well with regard to other vital interests as to those of slavery, and that submission would equally disgrace, demoralize, and impoverish her people, kindled and sustained the fires of revolution.

Educated and trained in love and reverence for the Union as the ark of political safety, I dreaded the perils of secession, and believed that ample remedies for all political evils or wrongs, present and prospective, could be more justly, wisely, and advantageously secured in the Union than out of it. Whatever might be the argument in favor of secession, as a remedy consistent with the theory of our Constitution and Government and the teachings of some of the laborers upon both, I could only regard it as another name for revolution, and to be justified only as a last resort from intolerable oppression. Hence I looked anxiously to the committee of thirteen appointed by the Senate to consider and report upon sectional difficulties and the means of adjustment, and next to the love of the Union and the fraternal feeling which I believed prevailed in every section of the country, for some basis of compromise. When the committee failed to report either words or grounds of concord—and in my judgment then, as now, this failure was rather due to its organization than to the subject before it—and after South Carolina had seceded, I still hoped and believed that the dread arbitrament of blood would be averted, and to this end I exhausted every effort and argument at my command.

Learning with no less astonishment than grief at Washington that armed bands of Alabamians and Floridians had assembled at Pensacola (my place of residence) to attack Fort Pickens, and knowing that such a step would precipitate the country into civil war, whose horrors I dreaded, and determined to omit nothing in my power to preserve peace and facilitate reconciliation, I addressed by telegraph the most urgent remonstrance against it to the officer in command, and had the good fortune thus to avert a dire calamity. For my interference in this matter, no less than for my opposition to disunion, I endured the bitter hostility of leading men in my own State.

I was residing at Pensacola when, upon the organization, provisionally, of the Confederacy, I received a message from President Davis that my services were required at Montgomery. Upon his repeated and urgent request I accepted the office of Secretary of the Navy, and upon the change of Government in February, 1862, I presented and requested the acceptance of my resignation, which President Davis declined. Though opposed to secession, I nevertheless regarded the commands of my State as decisive of my path of duty, and I followed where she led. She had repeatedly honored me beyond, far beyond, my merits, by her confidence and favor, and I had accepted her confidence with ample knowledge of her claims to State sovereignty. I will not further advert to the Confederacy than to say that in my judgment it contained the fruitful elements of its own destruction, and that

now, with all the field before me, recognizing its death as the will of Almighty God, I regard and accept His dispensation as decisive of the questions of slavery and secession.

Your large views and patriotic labors for the organization of the Southern States, and their restoration to the Union as States, entitle you to the gratitude which a generous people will not fail to evince. If permitted, I would—as would many others whose positions are similar to mine—be glad to aid, so far as a private citizen, by precept and example, might, in conforming my State to her new status under the policy which you have adopted.

Though not called upon to notice, for the purpose of repelling them before you, charges indirectly made against me, I trust that the general interest felt in the subject referred to may justify my doing so in this instance. Several newspapers have copied a statement ascribed to Mr. Foote, once a member of the Confederate Congress, that U. S. prisoners were designedly treated with inhumanity by the Confederate Government, and that their treatment was the result of a plan approved by the Cabinet. Having no means of knowing whether Mr. Foote, in fact, made this statement, I desire only to say that neither directly nor indirectly had I any connection whatever with the custody or treatment of prisoners; that I was never consulted with reference to their custody or treatment; never advised upon it, and have no knowledge that the subject in any form was submitted to the Cabinet. Though claiming no merit for having, as means and opportunities were afforded to me, extended to U. S. prisoners acts of kindness and consideration, evidences of which may be submitted to you by my friends, I must plead the erroneous statement referred to as my apology for alluding to them.

With great respect, I have the honor to be, your obedient servant,

S. R. MALLORY.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, S. C., June 21, 1865.

Brig. Gen. L. THOMAS,
Adjutant-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to state that in view of the feeble health of Mr. Trenholm, late rebel Secretary of the Treasury, and the fact that he has performed many acts of kindness to Union prisoners, I have ordered him to be released from close confinement in Fort Pulaski and have paroled him to reside within the corporate limits of the city of Columbia, S. C. He will be forthcoming whenever he is wanted.*

Very respectfully, your obedient servant,

Q. A. GILLMORE,
Major-General, Commanding.

NEW YORK, *June 21, 1865.*

MEDICAL INSPECTOR GENERAL U. S. ARMY:

COLONEL: In compliance with the inclosed order,† dated Washington, June 17, 1865, instructing me to investigate the causes of mortality

* For correspondence relating to arrest of Mr. Trenholm not published in this series, see Series I, Vol. XLVII, Part III.

† Omitted.

among the prisoners at Hart's Island, I have the honor to report that 2,027 prisoners were received April 7 from City Point; 794 prisoners were received April 10 from New Berne; 592 prisoners were received April 11 from City Point. Of the whole 3,413 prisoners, 1,847 have been under medical treatment and 217 deaths have occurred, amounting to 11.7 per cent. of the sick or 6.3 per cent. of all the prisoners. The principal diseases were: Pneumonia, 107 cases, 45 deaths, 42 per cent.; chronic diarrhea, 321 cases, 71 deaths, 22 per cent.; scurvy, 51 cases, 1 death; measles, 26 cases, no deaths primarily; smallpox, 21 cases, 1 death; erysipelas, 18 cases, 1 death. Some of the cases of pneumonia were sequelæ of the measles, and if so reported would diminish very materially the percentage of mortality from the former. Of 588 treated in April, 41 deaths, there were hospital accommodations for 72. Of 724 treated in May, 112 deaths, there were hospital accommodations for 165. Of 535 treated in June, 64 deaths, there were hospital accommodations for 115.

From the above it will be seen that the hospital accommodation was insufficient. Six hospital tents outside the prison ward, containing 48 beds, and such beds as could be spared in the post hospital (111 in all having been treated at the latter), and 25 sent at different times to the general hospital at Davids Island, comprise all the hospital beds which have been available. The remainder of the cases were treated in the prison barracks, a portion being set apart for the purpose, but without the extra diets and comforts afforded those sick in the hospital proper. It is asserted that this has had little influence upon the mortality, the gravest cases being transferred to hospital and a few of those retained in barracks being fatal. It is fair to presume, however, that the absence of proper accommodation, hospital diet, and comforts in the incipient stages of disease may have given a subsequently fatal tendency to cases which under other circumstances would have recovered.

The chief cause of the mortality, however, is to be found in the fact that large numbers of the prisoners arrived at the depot broken down in advanced stages of the disease; some, in fact, moribund and others past all hope from treatment. The New Berne detachment, captured chiefly in the Carolinas, were nearly all broken down on arrival. It is said that less than 100 of them could be considered as well men, or even in fair health. The surgeon then in attendance having been relieved, more precise information on this point is not now available, but it is certain that the largest percentage of sickness and mortality occurred in that detachment.

The largest proportion of deaths, as seen above, occurred from chronic diarrhea, brought with them, and pneumonia, which began to appear a few days after their arrival. The few cases of smallpox (more properly varioloid) did not begin to show themselves until after vaccination had been nearly completed. The men being poorly clad, the weather wet and cold, and the barracks provided with no other bedding than such as the prisoners brought with them, the pneumonia cases developed rapidly and the reduced vitality of the patients favored a typhoid type of that disease, increased, probably, to some extent by the crowded and unventilated condition of the barracks. These appear, by measurement, to have afforded but 102 cubic feet of air space to each man, and with no other ventilation than that afforded by the doors and windows on one side. Quite recently openings for ventilation have been made upon the other side of the barracks, it constituting the outer wall of the prison inclosure.

The rations have been good and in the quantity ordered by the Commissary-General of Prisoners, which is sufficiently liberal. The hospital ration (in the hospital proper outside the prison) has been such as is used in our own hospitals, but for those who are necessarily treated in a part of the barracks within the inclosure these extra comforts were not provided. The air space afforded these last was 207 feet. The drainage from the camp is superficial, but good. The sinks are outside the camp, but over tide water. The water for cooking and drinking is abundant and of excellent quality, from wells. The prisoners have had access, under guard, to the beach, and have availed themselves of it freely for salt-water bathing. They have also been required to take daily exercise. The hospital tents were found in excellent order, with bedding and medical supplies sufficient, excepting a deficiency the past week of opium and stimulants. The requisition was made the 4th of June, but from some irregularity in form, arising from the inexperience of the surgeon in charge, was not promptly forwarded. In view of the condition of the prisoners on their arrival, their destitute condition and the state of the weather, combined with the usual depressing effect of prison life, the sickness and mortality occurring here do not seem excessive. I think, however, that better ventilated barracks and ampler supply of clothing and enlarged hospital accommodations would have reduced this to a greater or less extent. The number present the 20th, the day of inspection, was 833, including forty-eight in hospital. As all are to be released this week, I have recommended that the few remaining sick be transferred to Davids Island general hospital.

I am, very respectfully, your obedient servant,

GEO. H. LYMAN,
Medical Inspector, U. S. Army.

AUGUSTA, *June 22, 1865—8 p. m.*

Major ECKERT:

The following was sent to Savannah office too late for me to put in cipher before leaving for here. I was five days on the way:

SAVANNAH, *June 17.*

General M. C. MEIGS, *Washington:*

Plead for me that I may be allowed, if not to see, to correspond with my husband. The reports harrow me so that under happier circumstances I should be unequal to bearing them. Entreat that I may be allowed to go North out of this unhealthy climate with my unacclimated little children while my scanty means suffice the purpose. If required as a witness after putting my elder children to school abroad, I will gladly return for the purpose. Or, if allowed to remain in the North until after my husband's trial, I will bind myself not to do anything prejudicial to your Government, and I think you could vouch for my rigid adherence to the parole. Please answer by telegraph. I have been three weeks in suspense. Tell me what you know of Mr. Davis' health?

MRS. DAVIS.

[OPERATOR.]

NEW YORK, *June 22, 1865.*

Hon. E. M. STANTON:

Some seven or eight released rebel prisoners are at Battery Barracks very sick and destitute. The medical director reports that he has no

authority to render them medical aid. I respectfully ask for authority to order it.

JOHN PECK,
Major-General.

WAR DEPARTMENT,
Washington City, June 22, 1865—2 p. m.

Maj. Gen. JOHN J. PECK, *New York:*

In reply to your telegram of to-day, just received, you are authorized to issue an order to the medical director to furnish such medical stores and render such medical aid as may be necessary for the released prisoners at Battery Barracks. If after such order they refuse, report immediately.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, June 23, 1865—3 p. m.

Maj. Gen. Q. A. GILLMORE, *Hilton Head, via Charleston:*

The Secretary of War requests that you will inform Judge Campbell, at Fort Pulaski, that the letter addressed by him to the Secretary has been received and will be speedily answered, and that his letter to Judge Nelson was also received by the judge and the reply forwarded to him through the commissioners of exchange shortly before the capture of Richmond.

By order of the Secretary of War:

WM. G. MOORE,
Assistant Adjutant-General.

LIBBY PRISON, *Richmond, Va., June 23, 1865.*

Lieutenant-Colonel ORDWAY, *Provost-Marshal-General:*

COLONEL: The undersigned, appointed a board in accordance with Special Orders, No. 25, headquarters Department of Virginia, Office of Provost-Marshal-General, of June 3, 1865, to investigate charges against Robert Ould, late agent of exchange, Confederate States of America, and others, having made a thorough investigation into the management of the C. S. bureau of exchange, we respectfully submit the following report and recommendation:

We find that Robert Ould, although the head of the exchange department, was in no way responsible in accountability for the moneys which passed through that department for Federal or Confederate prisoners of war. We find also, by reference to Mr. Ould's indorsement book, that he made frequent efforts to have all moneys and valuables which were taken from Federal prisoners by the prison authorities returned to them on their being exchanged. We therefore recommend that the said Robert Ould be released from arrest, as we find no sufficient grounds for confining him longer.

J. McENTEE,
Lieutenant-Colonel and President of Military Commission.
THOS. F. EDMANDS,
Major Twenty-fourth Mass. Vol. Infty., Member Military Commission.
J. M. SCHOONMAKER,
Capt., Twentieth N. Y. State Militia, Recorder Military Commission.

[First indorsement.]

JUNE 25, 1865.

Approved. Let this prisoner be released.

H. W. HALLECK,
Major-General, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, June 25, 1865.

Respectfully referred to Brevet Major-General Turner, commanding District of Henrico, who will cause Mr. Ould to be released. This paper to be returned with report of action.

By order of Major-General Terry:

ED. W. SMITH,
Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DISTRICT OF HENRICO,
Richmond, Va., June 26, 1865.

Respectfully referred to Captain Schoonmaker, who will release Mr. Ould.

By order of Brevet Major-General Turner:

C. H. HURD,
Assistant Adjutant-General.

[Fourth indorsement.]

LIBBY PRISON, *Richmond, Va., June 27, 1865.*

Respectfully returned. Order complied with.

J. M. SCHOONMAKER,
Captain, Commanding Prison.

[Fifth indorsement.]

Respectfully returned to department headquarters and attention invited to indorsement of Captain Schoonmaker, commandant of prison.

JNO. W. TURNER,
Brevet Major-General, Commanding.

[JUNE 24, 1865.]

His Excellency ANDREW JOHNSON,
President of the United States:

Availing myself of the permission contained in the proclamation of the 29th of May, 1865, I respectfully present this my special application for amnesty. I find myself a prisoner in Fort Pulaski by order, it is said, of the War Department. Not having been connected with the civil or military action of the Confederate Government, but during all the course of the late struggle living in the retirement of private life, my arrest could not, of course, be owing to any cause arising out of the events of that unfortunate conflict. I am left, therefore, to presume it

was owing to the fact that I left my seat in the Senate when the State of Florida seceded. If so be the case, I beg leave to submit that I could not honorably have done otherwise.

A convention of the people of Florida had by a vote of sixty-two, out of a body of sixty-nine members, passed an ordinance withdrawing the State from the Union, and by the order of that convention the delegation of the State in Congress were expressly and officially instructed, through their president, to retire from their seats and return to the State. This mandate, in the view I had ever held of my relations to the State, was imperative upon me. Upon the theory of the Union entertained by the political school to which I had always from youth adhered, the action of my State in her sovereign capacity was conclusive upon all her citizens, and especially upon those who held a representative relation to her. In this belief, honestly held, I respectfully submit that I could not consistently have declined obedience. Nor in my case would a contest with my State, had I desired to undertake it, have availed anything, as my term would have closed by its own limitation in a few weeks afterward. viz, on the 4th of March, 1861.

I can truly say I did not "leave my seat in the Congress of the United States to aid the rebellion." This is sufficiently proven by the circumstance that I did not, in fact, aid it, having taken no part in the formation nor conduct of the Confederate organization. I withdrew not in the spirit of rebellion, nor with the expectation of a conflict of force, but solely, as before said, from the motive of obedience to the will of my State, and in the sincere expectation and hope of a peaceful solution of the unhappy issue by an ultimate convention of the States or some other mode of arrangement between them. That this expectation and hope of a peaceful solution of the issue raised by secession might reasonably at that time have been indulged independently of the opinions I personally held, will be shown, I think, by reference to the annual message of the President delivered upon the assembling of Congress in December, 1860, and the official opinion of the Attorney-General of the preceding month (November 20), which opinions were not disputed nor condemned by any action of the Congress to which they were addressed. I had been opposed to the division in the Democratic convention at Charleston, and advised the Democratic State convention of Florida in a letter read to that body against sending delegates to the Richmond convention. I looked to a constitutional convention of all the States as the preferable and proper mode of adjusting the differences which had grown up between the sections, and so indicated in a brief letter written during the summer of 1860, which was published.

I did not advise nor stimulate secession of the State, considering that in so responsible a step each citizen should act according to his own unbiased judgment. But I owe it to a proper frankness to add that I deeply sympathized in the feelings of my wronged section, and believed that the danger to her peace and security, from the ascendency in the Government of a sectional party hostile to the form of her society, was imminent and extreme. Therefore, the idea of a convention of the States not having seemed acceptable, I approved the act of my State as a social and political necessity and duty. I did nothing, nor said anything, in the Senate to excite or aggravate irritation within that body, nor to influence nor exasperate the public mind without, as the record of debates will show. I earnestly declare that the opinions which controlled my course, and all the acts I performed, while I served as a public agent, so far as they were connected with the subject of the late

civil commotions, were conscientiously believed to be right and dutiful. I frankly own that events have seriously shaken the foundations of my opinions, and to much extent affected my views; but the occasion is not appropriate to expression of any change, since my present circumstances might bring my motives unjustly into question.

Upon my return home I immediately withdrew to private life, in pursuance of a previously announced purpose, and so remained since then to the time of my arrest. This purpose I still entertain for my few remaining days. As before stated, I did not participate in the civil or military organization or action of the Confederate Government. I consider that the war has evolved and embedded in the Government two leading facts which must, and legitimately should, exercise a permanent control in American politics, namely, the fact as respects our social structure, that involuntary servitude is abolished forever, and the other fact as respects our political structure, that the Union is national. Universal freedom and American unity must now be regarded as fundamental principles in the Government of the United States, and therefore cardinal points of policy. So believing, I accept them in good faith and am prepared to aid their beneficial development. As one of the consequences of the recognition of nationality in the Government of the Union, there follows, in my judgment, the obligation of a direct and superior allegiance of the citizen to the Government of the United States in all matters falling within the sphere of the Federal powers, and therefore I can honestly undertake, and shall truly perform, the duties of an allegiant citizen of the United States, according to the oath I have taken this day. To you who are familiar with the antecedents of political parties and public men, and with the theories and issues which have divided the country for many years past, I have not deemed it necessary to do much more than distinctly present my prayer. I am induced also to hope that while the brevity of this application may bring it more speedily under your consideration, it will not repel your favor. For whatever acts I have done which may by Your Excellency be considered in violation of the Constitution or laws of the United States, I ask from you, who represent the national will, a full amnesty.

DAVID L. YULEE.

FORT PULASKI, *June 24, 1865.*

David L. Yulee, a prisoner confined in Fort Pulaski by the order of Major-General Gillmore, commanding the Department of the South, hereby declares under oath that in making application to the President for pardon under the invitation of the proclamation of amnesty of May 29, 1865, he supposes, without being sure, that he may be regarded as falling within the fourth, twelfth, and thirteenth exception clauses of the said proclamation and under no others.

D. L. YULEE.

Sworn to before me this 24th day of June, 1865.

JOS. B. RIFE,
First Lieutenant, Sixth Infantry, U. S. Army,
Post Adjutant and Local Provost-Marshal.

NOTE.—The affiant, while supposing he may in advance of a consideration of his case be regarded as falling within the fourth and thirteenth as well as the twelfth exception clauses, and therefore to

comply fully with the requirements of General Orders, No. 38, of the District of Georgia, has called attention to them; thinks it proper to add that he does not regard himself as falling strictly under any other than the twelfth, the fourth and thirteenth not being applicable to his case, as will appear by reference to the memorial which this affidavit accompanies.

I, David L. Yulee, do solemnly swear in presence of Almighty God that I will henceforth faithfully support and defend the Constitution of the United States, and the Union of the States thereunder, and that I will in like manner abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves: so help me God.

Subscribed at Fort Pulaski, and sworn to on the 23d of June, A. D. 1865.

D. L. YULEE.

Sworn to before me this 24th of June, 1865.

JOS. B. RIFE,
First Lieutenant, Sixth Infantry, U. S. Army,
Post Adjutant and Local Provost-Marshal.

WASHINGTON, D. C., *June 21, 1865.*

Bvt. Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

GENERAL: With reference to your communication of the 3d instant in relation to the killing of B. F. Eubanks by William R. Pettus, both prisoners of war at Camp Chase, I am directed by the Commissary-General of Prisoners to inform you that it has been decided that in cases of this character of homicide of one rebel prisoner by another at one of our prison camps the crime is not one that can properly be taken cognizance of by a U. S. military court. If the local criminal tribunals should desire to pass upon this or any other similar case, the post commandant would properly respond to a formal request to that effect by placing the accused party in the hands of the criminal authorities for trial.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

LIBBY PRISON, *Richmond, Va., June 21, 1865.*

Lieutenant-Colonel ORDWAY, *Provost Marshal-General:*

COLONEL: The undersigned, appointed a board in accordance with Special Orders, No. 25, headquarters Department of Virginia, Office of Provost-Marshal-General, of June 3, 1865, to investigate charges against Maj. Isaac H. Carrington, C. S. Army, late provost-marshal of Richmond, and others, respectfully submit the following report:

Major Carrington was arrested on the supposition that he could give information regarding Capt. C. Morfit, assistant quartermaster, C. S. Army, the custodian of moneys taken from Federal prisoners of war. As soon as occasion offered the said Major Carrington volunteered the information that he had in his possession an amount of money left with

him by the said Captain Morfit, as he alleged, for safe-keeping. Major Carrington has delivered said money to the provost-marshal-general of the Department of Virginia. He also gave information which led to the arrest of Captain Morfit. We find no evidence of a collusion between Carrington and Morfit for the purpose of defrauding Federal prisoners of their money, nor do we find evidence of any dishonorable act on the part of said Carrington. We therefore respectfully recommend that he be released from arrest.

J. McENTEE,
Lieutenant-Colonel and President of Military Commission.
THOS. F. EDMANDS,
Major Twenty-fourth Mass. Vol. Infty., Member Military Commission.
J. M. SCHOONMAKER,
Capt., Twentieth N. Y. State Militia, Recorder Military Commission.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, Va., June 25, 1865.

Respectfully forwarded to headquarters Military Division of the James.

ALF. H. TERRY,
Major-General, Commanding.

[Second indorsement.]

JUNE 27, 1865.

Approved. Let him be released.

H. W. HALLECK,
Major-General, Commanding.

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, Va., June 27, 1865.

Respectfully referred to Brevet Major-General Turner, commanding District of Henrico, for compliance with indorsement from headquarters Military Division of the James. These papers to be returned with report.

By command of Major-General Terry:

ED. W. SMITH,
Assistant Adjutant-General.

[Fourth indorsement.]

HEADQUARTERS DISTRICT OF HENRICO,
Richmond, Va., June 29, 1865.

Respectfully referred to Captain Schoonmaker, who will comply with order from headquarters Military Division of the James.

By order of Brevet Major-General Turner:

C. H. HURD,
Assistant Adjutant-General.

[Fifth indorsement.]

LIBBY PRISON, *Richmond, Va., June 30, 1865.*

Respectfully returned. The within-named has been released according to orders.

J. M. SCHOONMAKER,
Captain, Commanding Prison.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., June 25, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Owing to the delicate health and nervous prostration of the prisoner Clay, and which he attributes to his confinement, he requests that the two sentinels in the cell with him may be placed just outside the grated doors communicating with the room in which is stationed the officer of the guard with two other sentinels, as the locking and unbarring of the doors in changing the relief every two hours awakens him, and sometimes he cannot sleep at all. I would approve the request, as he would be under the eyes of the sentinels placed at the doors, which are iron-grated. His physician recommends that he be allowed to walk one hour a day under guard in the open air inside the fort, and which he thinks would sustain his health. The case of Davis is different, as I think him to be as strong now as he was the day he entered the fort. The statements in the papers that his health is declining under his imprisonment are utterly false, and in my opinion are intended to excite sympathy in the North. The report that a correspondent had been allowed to enter the prison is without foundation and untrue, as not one has even approached it.

I have the honor to be, with great respect, your obedient servant,
NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 27, 1865.

Bvt. Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: Your letter of the 25th instant has been submitted to the Secretary of War. He approves the arrangement you recommend for the benefit of the health of the prisoner Clay, and authorizes you to extend to him at your discretion the privilege of walking for exercise in the open air, provided under all circumstances he is allowed no chance to effect his escape.

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, *June 27, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

I would respectfully recommend that all of the officers now at Fort Delaware be discharged on taking the oath of allegiance. All coming within the range of existing orders for the discharge of rebel prisoners have already been discharged from that place. I would also recommend that general direction for the discharge of all remaining prisoners be given, to be executed by commanders of prisons as present orders for the discharge of prisoners is carried out. This will enable us to discharge a great many soldiers and diminish expenses materially.

U. S. GRANT,
Lieutenant-General.

FORT PULASKI, GA., *June 27, 1865.*

List of State prisoners held in custody at Fort Pulaski, Ga.

R. M. T. Hunter, Virginia, arrived June 5, 1865, ex-rebel Senator; J. A. Campbell, Alabama, arrived June 5, 1865, ex-Assistant Secretary of War; James A. Seddon, Virginia, arrived June 5, 1865, ex-Secretary of War; A. G. Magrath, South Carolina, arrived June 11, 1865, ex-Governor of South Carolina; A. B. Moore, Alabama, arrived June 15, 1865, ex-Governor of Alabama; A. K. Allison, Florida, arrived June 19, 1865, ex-Governor of Florida; D. L. Yulee, Florida, arrived June 19, 1865, ex-U. S. Senator; Thomas L. [Charles] Clark, Mississippi, arrived June 25, 1865, ex-Governor of Mississippi.

M. BRYANT,
Captain, Sixth U. S. Infantry, Commanding Post.

GENERAL ORDERS, No. 52. } HDQRS. DEPARTMENT OF THE PACIFIC, *San Francisco, Cal., June 27, 1865.*

I. Before a military commission which convened in the city of San Francisco, Cal., May 22, 1865, pursuant to Special Orders, No. 111, dated May 18, 1865, headquarters Department of the Pacific, San Francisco, Cal., and of which Col. Edward McGarry, Second Cavalry California Volunteers, is president, were arraigned and tried—

T. E. Hogg, E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin.

CHARGE: Violation of the laws and usages of civilized war.

Specification.—In this, that they, the said T. E. Hogg, E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, being commissioned, enrolled, enlisted, or engaged by the Government of the so-called Confederate States, at war with the United States, did, on or about the 10th day of November, 1864, come on board the U. S. merchant steamer Salvador, then lying in the friendly port of Panama, New Granada, in the guise of peaceful passengers, without any visible mark or insignia indicating their true character as enemies, and did so enter on board of the said steamer, secretly armed and provided with manacles, with the intent, purpose, and object of treacherously rising on the master, crew, and unsuspecting passengers of said steamer when she had reached the high seas, and of capturing her and the property aboard, and of converting her into a cruiser to prey on the commerce of the citizens of the United States.

To which charge and specification, the prisoners having declined to plead, was entered the plea of not guilty.

FINDING AND SENTENCE.

The commission, having maturely considered the evidence adduced, finds the accused, T. E. Hogg, E. A. Swain, Jonn S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, as follows:

Of the specification, guilty.

Of the charge, guilty.

And the commission does therefore sentence them and each of them, the said T. E. Hogg, E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, to be hung by the neck until they are dead at such time and place as the proper authority may direct, two-thirds of the members of the commission concurring therein.

II. The proceedings having been submitted to the major-general commanding the department, the following are his orders in the case:

The commission overruled the objection made by the prisoners to question asked Captain Davenport by the judge-advocate, as to his opinion whether there was sufficient opium in the possession of the

prisoners to drug the crew. The objection was well taken and should have been sustained, Captain Davenport not having been introduced as an expert, and not having been shown to have the necessary special knowledge to qualify him to act as such.

The question as to the amount of opium in the prisoners' possession having been entertained by the commission, the application to have the package produced from the trunk of the prisoner containing the medicine was proper, and should have been granted.

Moreover, as the specification does not allege that the prisoners contemplated the use, in any way or degree, of poisons in carrying out their designs, but that they intended rising in arms on the master, crew, and passengers, and as the use of poisonous drugs is an aggravation not specified in the charges to which they were called on to plead, the subject should not have been taken up, and was properly abandoned.

It was objected that there was no accuser; that a person charged with crime must be confronted with his accuser; that no name was attached to the charge and specification.

The charges were signed by the judge-advocate of the department, which, under the circumstances, was entirely in accordance with the practice in military service. A charge signed by a commissioned officer and ordered to be investigated by the general instituting the court is all the form that is required. Prisoners are always confronted with the witnesses against them, but in the nature of the service it constantly happens they cannot be, and they seldom are, confronted by the officer who prefers the charges, and who may know nothing of the case save from the reports he receives.

Objection was made that the order instituting the court did not direct the trial of the prisoners by name.

The order was in the usual form. It is not necessary that the names of the prisoner or prisoners to be tried should be mentioned in the general order convening the court. The order for their trial may be, and generally is, separate from the general order. It is frequently in way of an indorsement on the charges, or in the way of special instructions to the judge-advocate or to the commanding officer having the custody of the prisoners.

It is stated in the defense of the prisoners that no copy of charges, or the amendment to the charges, was served on them anterior to trial; also, that as a matter of right and justice they were entitled to a separate trial; that the record does not show the incidents of the trial, and that the names of all the witnesses were not furnished them by the judge-advocate.

The prisoners made no plea at the time of their arraignment that they were not furnished copies of the charges against them. Even if it had been made, the plea would not have been valid further than to delay the proceedings, which delay they did not ask. (De Hart, p. 147.)

Moreover, it is stated by the judge-advocate that it is not true they were not furnished with copies of the charges and of the amendment. The former he says were given them five days before they were arraigned.

Before a court-martial, as in a court of civil judicature, several offenders who commit an offense in concert may be tried either jointly or separately. (Simmons, p. 140.)

The accused cannot claim as a right that a list of witnesses shall be furnished them. (Bennet, p. 63.)

The judge-advocate states, however, that, as far as was known at the commencement of the trial, a list was furnished.

It is further stated that a paper entirely respectful to the commission, which the prisoners' counsel had prepared and conceived to be a part of their legitimate defense, was rejected, and "returned to them with an implied rebuke, and no entry suffered to be made of it on the record."

Such a paper as described should have been received and attached to the record. The commission could have given it such weight, if any, as it might in their judgment be entitled, but they should not have refused to receive and entertain it.

Also, that the counsel have been compelled to sit absolutely dumb in the presence of the court. That they have been so restricted in asking questions under cross-examination that it was impossible for them to bring out their defense.

The commission departed from the long and well-established practice of military courts in suffering counsel to address them at all. Military courts deal directly with the prisoners on trial. The latter are entitled to counsel to advise them what to do or say, and counsel may prepare the prisoner's defense, and it has latterly been conceded that the counsel may read it, but it should be the prisoners' own defense and not that of the counsel for them.

Simmons (pp. 183, 184) says:

They, the counsel, are not to offer the slightest remark, much less to plead or argue. A lawyer is not recognized by a court-martial, though his presence is tolerated as a friend of the prisoner to assist him by advice in preparing questions for witnesses, in taking notes, and shaping his defense.

De Hart (pp. 132, 133) says:

Courts-martial have always been tenacious on the point, and to a certain extent not permitting the counsel to interfere in the proceedings by remarks or by pleading and argument is very wise and necessary.

Bennet (p. 65) says:

It is an admitted maxim in all courts-martial that the counsel is not to address the court or interfere in any manner in the proceedings; his presence is only tolerated as a friend of the prisoner.

Most of the objections raised in the name of the prisoners were purely technical. Of these, not especially noticed, fourteen were as to the reception of certain papers found in the possession of the prisoners, and of copies of official correspondence growing out of the case. But the main paper, the instructions of Mr. Mallory, the Secretary of the Navy of the lately so-called Confederate States, after it was proved to be genuine, was so admitted by the prisoners and admitted as having been found in their possession. This and other unimpeached and unquestioned evidence abundantly proves the few and simple facts alleged in the specification, and makes it unnecessary to go further into the question of the testimony.

This brings us to the consideration of the question: Do the facts alleged in the specification and proven by the evidence justify the proceedings had in the case? Have the prisoners committed any offense; and if so, is it one the commission is competent to try?

It is claimed that under the Constitution the prisoners are entitled to trial by jury; that if their acts in the Bay of Panama constitute any offense of which the United States could have cognizance they should, under the act of 1818, have the benefit of trial before the U. S. civil courts.

It is to be borne in mind that the prisoners have not been tried by the military court as citizens of the United States violating its statute

laws, but as belligerent enemies to the United States for a violation of the rules of war.

They confessedly formed part of a hostile force engaged in civil war against the United States.

In reference to such—

The following principles are assumed as incontrovertible: That civil wars are not distinguishable from other wars as to belligerent and neutral rights; that they stand upon the same ground and are governed by the same principles; that whenever a portion of the State seek by force of arms to overthrow the Government and maintain independence the contest becomes one de facto of war; that in such contests the principles of public law in relation to belligerents must govern, and all the rights which a state of war gives to public enemies are to be allowed to the respective parties engaged in them. (Stevenson to Palmerston.)

Belligerent rights have been accorded by the United States to the parties engaged in this rebellion against them. With those rights go also the duties and liabilities of belligerents. If, "as belligerents," persons violate the laws and usages of war, violations not provided for in any statute or by the common law, can the U. S. civil courts take cognizance of such violations? If not, what tribunal shall?

During war cases arise which require investigation and frequently those which require punishment. Courts-martial have only a limited jurisdiction. They take cognizance of offenses arising under the act for the government of the armies of the United States known as the Rules and Articles of War, which act, save in a few exceptional cases, affects only persons in the U. S. military service. It is the court which administers the "military law."

Cases which arise in the course of war not provided for by the civil courts, which affect persons or cases not liable to the U. S. Rules and Articles of War, are tried by military commission. (General Orders, No. 100, War Department, of 1863.)

Military commissions, though not created by statute, are yet recognized by law and by the U. S. Supreme Court to exist, and their action is provided for by Congress as a part of the machinery by which war is carried on. It is the tribunal before which cases arising under what may be called the common law of war are tried.

Section 5, act of July 18, 1862, calling forth militia, &c., provides that the President shall appoint a Judge-Advocate-General, to whom shall be sent the records and proceedings of all "courts-martial and military commissions."

Section 30, act of March 3, 1863, for enrolling and calling out the national forces, &c., provides that in time of war "murder, robbery, arson," &c., "shall be punished by the sentence of a general court-martial or military commission."

Section 38, same act, declares that persons found lurking or acting as spies in or about any of the fortifications, &c., of the United States shall be triable by a general court-martial or military commission.

Section 1, act of July 2, 1864, provides that department commanders may carry into execution sentences of military commissions, as well as of courts-martial, against guerrilla marauders for robbery, violation of the laws of war, &c.

In *ex parte* Vallandigham (1st Wallace, U. S. Supreme Court Reports, p. 243) the court refused to review the proceedings of a military commission on *certiorari*. The question of jurisdiction was not decided Justice Wayne, in delivering the opinion of the court, referred to General Orders, No. 100, of 1863, defining the jurisdiction of courts-martial and military commissions, and said that it applied in cases of rebellion and civil war, as well as in foreign war.

It may be here remarked that the existence of a common law of war is recognized in the act of Congress establishing rules and articles for the government of the armies of the United States, in the oath prescribed by the Sixty-ninth Article for the members of a court-martial, who are required, in cases not explained by the said articles, to be governed by the "custom of war in like cases."

Military courts are not restricted in their jurisdiction by any territorial limits. They may try in one State offenses committed in another, and may try in the United States offenses committed in foreign parts, and may try out of the United States offenses committed at home. They have to do only with the person and the offense committed; all else is simply a matter of convenience, of witnesses, of the means of assembling a court, &c.

It is conceded that the act alleged to have been committed by the prisoners may be in violation of the laws of 1790, 1818, or 1862, and may constitute offenses cognizable by the U. S. civil courts; but if so, this would not affect the case now under consideration, nor prevent its trial by the military commission, for by one and the same act the prisoners may have committed several offenses, each to be tried and judged by the tribunal having, respectively, jurisdiction of it.

An offense, in its legal signification, means the transgression of a law. A man may be compelled to make reparation in damages to the injured party, and be liable also to punishment for a breach of the public peace in consequence of the same act, and may be said, in common parlance, to be twice punished for the same offense. Every citizen of the United States is also a citizen of a State or Territory. He may be said to owe allegiance to two sovereigns, and may be liable to punishment for an infraction of the laws of either. The same act may be an offense, or transgression of the laws of both. Thus an assault upon the marshal of the United States and hindering him in the execution of legal process is a high offense against the United States, for which the perpetrator is liable to punishment, and the same act may be also a gross breach of the peace of the State, a riot, assault, or a murder, and subject the same person to a punishment under the State laws for a misdemeanor or felony. That either or both may (if they see fit) punish such an offender cannot be doubted. Yet it cannot be truly averred that the offender has been twice punished for the same offense, but only that by one act he has committed two offenses, for each of which he is justly punishable. He could not plead the punishment by one in bar to a conviction by the other; consequently this court has decided in the case of Fox *vs.* The State of Ohio (5 Howard, 432) that a State may punish the offense of uttering or passing false coin, as a cheat or fraud practiced on its citizens, and in the case of The United States *vs.* Mongold (9 Howard, 560) that Congress, in the proper exercise of its authority, may punish the same act as an offense against the United States. (Moore *vs.* State of Illinois, 20 Curtis, p. 9.)

Therefore, a soldier assaulting his commanding officer in the streets of San Francisco might by the same act be liable to punishment for the offense of a breach of peace, and under the Ninth Article of War for the capital offense of striking his superior officer.

And an officer who should commit forgery would be liable to be tried by the civil courts for felony and by the military courts "for conduct unbecoming an officer and a gentleman."

It is maintained, moreover, that the prisoners were captured before they reached the "high seas;" that the going on board of the Salvador, if that be claimed as the overt act in their offense, was done within the jurisdiction of a neutral power, whose jurisdiction is claimed to be absolute and exclusive; that the act might be punishable by the laws of New Granada, but is no infraction of the laws of war, "for there could be no war between the belligerents within the jurisdiction of a foreign power."

To this it must be said, as a matter of fact, that the bay or gulf of Panama is not within the exclusive jurisdiction of any power. That

the place, by the testimony before the commission, where the Salvador was at anchor when the prisoners came on board was more than a league from the shore in the open roadstead of Panama, and clearly on the high seas as regarded in this connection. See cases of United States *v.* William Ross, 1 Gallatin, page 624; United States *v.* Griffin & Bailsford, 5 Wheaton, page 204; Kent's Commentaries, page 34 *et seq.*

It is true that publicists agree that of all "principles of public law there are none more sacred than those which secure the immunity of neutral territory from the exercise of acts of hostility by a foreign power," and that "the law of nations forbids all use of neutral territory for hostile purposes, and declares that the rights of war shall only be exercised within the territory of the belligerents, on the high seas, or without the jurisdiction of any other power." Yet, notwithstanding, had the act and the arrest of the prisoners been made within the limits claimed by the neutral power of New Granada, it would have been a less departure from the rule, and more clearly an exception to it, than was made by General Jackson in the invasion of the then Spanish province of Florida in 1818, or by Sir Allen McNab in the invasion of the State of New York at Schlosser in 1837. And General Jackson's act was defended by John Quincy Adams, sustained by our Government as an act of self-defense, and acquiesced in by the Government of Spain; and the invasion of New York was approved by the British Government as having been—

> One in the strictest sense of self-defense, rendered absolutely necessary by the circumstances of the occasion, for the safety and protection of Her Majesty's subjects, and justified by the same motives and principles which, upon similar and well-known occasions, have governed the conduct of illustrious officers of the United States. (Mr. Fox to Mr. Webster, December 19, 1840.)

In the course of the negotiations to which this case gave rise, and before the action of Great Britain was acquiesced in by the United States, as finally it was, our minister at London, Mr. Stevenson, and two of our Secretaries of State, Forsyth and Webster, though denying the applicability of it to the case of the Caroline at Schlosser, concurred in the exception to the rule of inviolability of neutral territory claimed by Great Britain.

When the extent of the evil is considered which the act of these men in the Bay of Panama would, if successful, have brought upon the people of the United States, and it is borne in mind that the neutral country which they had adopted as the base from which they intended to set this expedition on foot is without a navy or any military power afloat, and that that Government was treated by our naval forces with every consideration possible, it will not be questioned that even had there been the violation of neutral territory asserted to have been committed in this case, it would be claimed and admitted to have been a measure "in the strictest sense of self-defense absolutely necessary, by the circumstances of the occasion, for the safety and protection" of American citizens. This, however, is beside the question before the commission, which is—Did the prisoners, as charged, violate the rules and usages of civilized war?

It is claimed their act "was a stratagem in war perfectly allowable under the laws and usages of civilized war."

> That (as said by Halleck, p. 402) stratagems in war are snares laid for an enemy or deceptions practiced on him without perfidy and consistent with good faith. They are not only allowable, but have constituted a great share of the glory of the most celebrated commanders.

This is true, and all of this true, for it must be borne in mind that it is not every stratagem that is allowed, but only such as are "without perfidy and consistent with good faith." Was the act of the prisoners without perfidy and consistent with good faith?

The attack by the English on two Spanish frigates and their capture in the harbor of Barcelona in 1809 is cited as a case in point, and from it the defense deduce that "it is allowable to go on board an enemy's ship in the guise of passengers with the intent of rising upon the officers and capturing them, as an act of war."

It is to be noticed, in the first place, that the very case cited is denounced by Ortolan, who refers to it as of the same character as that of the English frigate off Calais in 1756, described by Vattel as an "unworthy stratagem deserving severe punishment." But the case is not one in point. The English did not come on board the Spanish vessels in the guise of passengers. Spanish ships of war, in time of war, lying in their own ports, can hardly be presumed to be in the way of carrying passengers and of receiving as such a large enough number of men, and only men, to overpower them and capture their ships. The English came upon the Spaniards under false colors, and, owing to this and their want of vigilance, they surprised, attacked, and captured them. They came on board not as passengers, but as open enemies.

"It is allowable to sail and chase and approach a ship under false colors, but not to fire or attack under them."

The ship that suffers itself to fall in the power of an enemy who thus approaches it must accept the consequences of its want of vigilance and preparation; but this is not the case in point.

Analogy to the case of the prisoners is sought to be found in case of a spy sent out by one commander to go within the lines of another; and it is contended that the office of spy, though an infamous one, punishable by a speedy, disgraceful, and violent death, is not against "the rules and usages of civilized war;" much less so, then, the cases of the prisoners; and Halleck, page 406, section 26, is cited to show that "the employment of spies is considered a kind of clandestine practice—a deceit in war allowable by its rules."

But can an act be said to be allowed by a code which act that code visits with a violent and disgraceful death? Certainly not. It would be an utter confusion of terms to so rule. That which is allowable by the rules of war in the matter of spies is not the "office of spy," but the employment of them. A commander may, without reproach to his character or his being held to an account, employ a spy; but the spy engages himself with the full knowledge that if caught in *flagrante delicto* he will, by the laws of war, be hung, and that his employer will have no right to make any reclamation or retaliation on his account. Whatever, therefore, there is of analogy in this case to that of the prisoners is not to their benefit.

Halleck on International Law, pages 401, 402, is correctly cited for the rule applicable to this case. He says:

> War makes men public enemies, but it leaves in force all duties which are not necessarily suspended by the new position in which men are placed toward each other. Good faith is, therefore, as essential in war as in peace, for without it hostilities could not be terminated with any degree of safety short of the total destruction of one of the contending parties. This being admitted as a general principle, the question arises: How far we may deceive an enemy and what stratagems are allowable in war? Whenever we have expressedly or tacitly engaged to speak truth to an enemy, it would be perfidy in us to deceive his confidence in our sincerity. But if the occasion imposes upon us no moral obligation to disclose to him the truth, we

are perfectly justifiable in leading him into error either by words or actions. Feints and deceptions of this kind are always allowable in war. It is the breach of good faith, express or implied, which constitutes the perfidy and gives to such acts the character of lies.

The only and the simple question to determine is: Was there, by the act of the prisoners, any breach of good faith expressed or implied?

In offering themselves to the master of the Salvador as peaceful passengers, paying him money as a consideration of being carried to a neighboring port, was there not an implied promise on their part they were to conduct themselves as passengers and not as enemies, and that they were not to rise on him and seize him and his property? Can it be presumed the master did not receive them under the implied pledge that if they came on his ship they were not to take it?

In so doing they were clearly guilty of perfidy and "breach of implied faith."

It is argued that the prisoners are guilty of no offense, because no overt act was committed; that their design was frustrated whilst yet in "bare intention;" that the law allows them a *locus penitentiæ*.

To this it is said the bare intention of the prisoners and their *locus penitentiæ* ended when, secretly armed and provided with manacles, they set foot on the Salvador with the intent to seize her.

Their project had been planned a great ways off, and after its conception the prisoners had to undertake long voyages between different foreign countries, make extensive preparations at various places, resort to many stratagems to avoid discovery, and encounter many delays in the fulfillment of their designs. More than six months intervened between the instructions given and received at Richmond, Va., and the going on board of the Salvador in disguise in the Bay of Panama—a *locus penitentiæ* ample enough for the development of any qualms of conscience, if any there were, to be forthcoming.

With the foregoing qualifications and exceptions the proceedings and findings in the cases of T. E. Hogg, E. A. Swain, J. S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin are approved and confirmed.

In view of the fact that, both by statute and common law, punishment is measured to a great extent by the consequences that have flown, rather than by those which might have flown, from the crime committed; that a man who maliciously shoots another is punished more or less as his victim dies or recovers; that an attempt to commit a crime, accompanied by failure, is not punished with the same severity as an attempt that succeeds, and that the prisoners utterly failed; and in view, further, that punishment for violation of the laws of war has especial reference to the future conduct of the belligerent party to which the violators belong, and, as under present circumstances, such party is unable to do further harm, the sentence of death awarded by the commission is mitigated as follows:

To confinement in the State penitentiary, at San Quentin, Cal., T. E. Hogg, the leader, for the term of his natural life, and E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, each for the term of ten years.

III. The military commission of which Col. Edward McGarry, Second Cavalry California Volunteers, is president is dissolved.

By command of Major-General McDowell:

R. C. DRUM,
Assistant Adjutant-General.

[JUNE 28, 1865.—For report of Confederate prisoners paroled under the direction of General James H. Wilson, U. S. Army, in April and May, 1865, see Series I, Vol. XLIX, Part I, p. 415.]

FORT MONROE, VA., *June 28, 1865.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

Prisoner C. C. Clay desires to send a communication to the Honorable Secretary of War. Can his request be granted?

Respectfully,

N. A. MILES,
Brevet Major-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, June 28, 1865.

Maj. Gen. NELSON A. MILES,
Commanding, &c., Fort Monroe, Va.:

The Secretary of War will receive and consider a respectful communication from Mr. Clay.

E. D. TOWNSEND,
Assistant Adjutant-General.

SPECIAL ORDERS, No. 343.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, June 29, 1865.

* * * * * * *

4. Lieut. Col. O. E. Babcock, aide-de-camp, will proceed to Alton, Ill., and make an inspection of the military prison at that place. He will report in writing to these headquarters the number of prisoners confined there, whether civil or military, stating for what offenses they are confined, and whether by sentence of court-martial or otherwise. Upon the execution of this order he will await further instructions at Alton.

* * * * * * *

By command of Lieutenant-General Grant:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, *June 29, 1865.*

The Commissary-General of Prisoners submits applications of six persons recently belonging to the Confederate Army for permission to return to their homes at the South upon taking the oath of allegiance.

[First indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
July 5, 1865.

Respectfully submitted to the Secretary of War.

I recommend that the status of many paroled prisoners in the Southern States and the class of cases herewith inclosed be reached by a general order, in substance like the accompanying draft.

U. S. GRANT,
Lieutenant-General.

[Second indorsement.]

Approved.

E. M. STANTON.

[Third indorsement.]

The projet was put in type and handed to the Secretary of War and was by him suspended.

E. D. T.

[Inclosure.]

GENERAL ORDERS, }
No. —. } *Washington, July —, 1865.*

I. All paroled prisoners of war voluntarily taking the oath of allegiance to the United States Government are hereby permitted to leave their homes and seek civil employment elsewhere, but their taking the oath of allegiance will not restore them to citizenship.

II. All restraints put upon prisoners of war, whether paroled or not, and all other parties who have been sent North by any competent military authority, under orders to remain North during the existence of the rebellion, are hereby removed; and upon taking the oath of allegiance they will be permitted to return to their homes in the South, and will also be entitled to the privileges granted in the first paragraph of this order.

WASHINGTON, D. C., *June 29, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I have the honor to inclose a dispatch from Mrs. Jefferson Davis, dated at Savannah, received yesterday through the U. S. military telegraph.* Believing that it would be improper for me to enter into correspondence with Mrs. Davis, I respectfully communicate it to the War Department, with a copy of a letter which I have addressed to the commanding general at Savannah, in which, after assigning the reasons which forbid my entering into correspondence with Mrs. Davis, I have requested him to cause her to be informed that her husband's health is reported to be better than when she parted with him.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General and Brevet Major-General.

[Inclosure.]

WASHINGTON, D. C., *June 29, 1865.*

COMMANDING GENERAL SAVANNAH, GA.:

GENERAL: I received yesterday by the U. S. military telegraph a dispatch from Mrs. Jefferson Davis, dated at Savannah, Ga., the 17th of June, requesting me to present her wishes to the authorities and to advise her as to her husband's health.

I was under obligation to Mr. and also to Mrs. Davis for kindness and courtesy received before they inaugurated rebellion and civil war, and therefore probably she appeals to me.

The effect of that war, my personal loss in the death of my eldest son, murdered by one of Mr. Davis' assassins, called guerrillas, my position as an officer of the Government, make it altogether improper for me to

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* See p. 666.

enter into any correspondence with Mrs. Davis or to attempt to interfere in the course of justice. Her own case and that of her husband are in the hands of the Government, which will do what may be right.

I have made inquiry as to her husband's health and I will be obliged to you if you will cause her to be informed that it is reported to be better than when she parted with him.

I am, very respectfully, your obedient servant,

M. C. MEIGS,

Quartermaster-General, Brevet Major-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 29, 1865.

Brig. Gen. J. K. BARNES, *Surgeon-General U. S. Army:*

GENERAL: In reference to the transfer of prisoners of war from the hospital at Hart's Island to the general hospital at Davids Island, as recommended by the medical director Department of the East, I have respectfully to request that you will give the necessary instructions for their reception at Davids Island and I will order the commanding officer at Hart's Island to make the transfer. It will be necessary that the medical officer who received them should make the required reports to this office of their receipt, discharge, &c. All necessary blanks and instructions will be furnished from this office.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE
June 29, 1865.

The PRESIDENT:

The following report of the opinion of this Bureau upon the proceedings at the trial by military commission of certain persons charged with conspiring to liberate rebel prisoners of war confined in Chicago and to destroy and sack that city is respectfully submitted: The commission began its sessions on the 11th of January, 1865. The prisoners arraigned before it were: Charles Walsh, Buckner S. Morris, Vincent Marmaduke, R. T. Semmes, Charles T. Daniel alias Charles Travis, G. St. Leger Grenfel, and Benjamin M. Anderson. Walsh was convicted and sentenced to five years' penitentiary confinement; Morris and Marmaduke were acquitted by the commission; Semmes was convicted and sentenced to three years' imprisonment; Daniel escaped from confinement during the trial, but was, notwithstanding, convicted and sentenced to death; Anderson committed suicide in prison, and Grenfel was convicted and condemned to death. General Hooker approves the proceedings in all the cases, and in those of Daniel and Grenfel refers the proceedings for the action of the President. He designates the penitentiary at Columbus, Ohio, as the place of confinement of the prisoners Walsh and Semmes. In the case of Walsh a separate report has been rendered unnecessary. In the case of Semmes a special report upon his application for pardon was prepared in this Bureau on the 6th of June and has been submitted to the President.

The prisoners were arraigned upon the following charges:

1st. Conspiring, in violation of the laws of war, to release the rebel prisoners of war confined by authority of the United States at Camp Douglas, near Chicago, Ill.
2d. Conspiring, in violation of the laws of war, to lay waste and destroy the city of Chicago, Ill.

The time laid in the specifications as that selected for the perpetration of these crimes was the 1st day of November, 1864, or thereabouts. The action of the commission in proceeding to the conviction and sentence of the prisoner Daniel after his voluntary flight has the sanction of precedent, and has been held by this Bureau to be justified in the similar case of Harrison H. Dodd, grand commander of the Order of the Sons of Liberty, in the State of Indiana. The opinion expressed in the report upon that case in favor of the legality of such a course is still adhered to by this Bureau. Daniel is shown to have been a soldier in the so called Confederate service, and was arrested on the roof of the house occupied by Walsh, now under conviction for participation in the conspiracy. There can be no doubt that he was one of a large number of rebel fugitives sent from Canada to aid in the hideous projects of the conspirators; and the abandonment of his defense by voluntary flight is believed to have been properly accepted by the commission, apart from the evidence, as a confession of his guilt. It is respectfully recommended that the sentence in his case be approved.

In the case of G. St. Leger Grenfel, now under sentence of death for complicity in the conspiracy, a careful examination of the record brings this Bureau to the conclusion that the commission are warranted by the evidence taken in the case, and by the rules of law as applicable to the impeachment of witnesses, in the findings to which, after a most patient and doubtless absolutely impartial investigation of the case, they have ultimately arrived.

That a plot for the release of the prisoners at Camp Douglas and the destruction of Chicago was planned and nearly matured, is placed beyond a doubt by all the evidence in the case. That it was designed and matured by rebel agents of the Confederate Government in Canada, its cost defrayed from funds placed in the hands of those agents for such purposes, and a large number of those who were to have been its perpetrators sent thence to aid and lead in the assault, is also demonstrated. The proofs are further conclusive that many of the more prominent leaders of the Order of the Sons of Liberty were cognizant of the design, lent it their hearty approval and support, and aimed to involve in it, through the machinery of their treasonable associations, the multitudes of deluded followers, whose faith in the Government they had taken every measure to undermine, and whose obedience to their mandates they had, as they thought, secured by the most solemn and binding obligations. The evidence which tends to fasten upon Grenfel a knowledge of and participation in the plot is of such a nature as to satisfy this Bureau of the correctness of the conclusions of the court. It is chiefly that of a witness named John T. Shanks, formerly in the rebel service and lately a prisoner of war at Camp Douglas. He was employed in November last by the commanding officer of the post, Brigadier-General Sweet, to act as a detective in the discovery of evidence against persons supposed to be connected with the conspiracy for the release of the Camp Douglas prisoners and the destruction of the city of Chicago. Grenfel, whom the witness knew to have been formerly in the rebel service, was then at the Richmond House, and had registered his name without concealment upon its books. With him the witness Shanks sought an interview, and he details on the

stand a conversation which he states he himself had with Grenfel, in company with a man of the name of Fielding, from whom he also swears that he obtained in a separate conversation further corroborative proof of Grenfel's complicity in the alleged conspiracy. At his first interview with Grenfel the witness states that no one else was present, and that they separated after a few questions had been put him as to the readiness of the Camp Douglas prisoners to co-operate with assistance from without. The second meeting was at 9.30 on the same evening, when Grenfel introduced him to a Mr. Fielding. This interview was also brief, in consequence of Grenfel's stating that he was ill; and Fielding at once went away with witness to another room, where much information was imparted to the latter on the subject of the plot. Shanks and Grenfel were arrested at the hotel on the same night. The witness testifies that at each of these conversations the plans of the conspirators were exposed to him. If his statements are to be relied upon, they fasten upon Grenfel a complete knowledge of the plot, and are amply sufficient to warrant the enforcement of the sentence pronounced by the commission. Shanks' first interview with Grenfel, as has already been stated, was of but few minutes' duration, which he states were employed by the latter in questions about the willingness of the prisoners to co-operate. They were wholly alone. They met again by appointment at 9.30 the same evening, and witness was introduced by Grenfel to one Fielding. "Something was said at the interview about effecting the release of the Camp Douglas prisoners, and I was asked by Fielding how many men would be required to accomplish that." Witness volunteered with 200 men to tear down one side of the square, and Grenfel, Fielding, and Shanks went on to arrange the details of the plan. The conversation was with Fielding, but in the hearing of Grenfel, who was walking to and fro and occasionally making suggestions. After witness had, as he states, exhibited a plan of the camp, Grenfel professed to be unwell and Shanks and Fielding went away to another room, where the details were again minutely gone over and the various parts assigned. Witness states that he saw a great many others at the hotel that evening who were in the conspiracy, but is unable to give their names. Witness states, in answer to a question of the judge-advocate, that at his first interview with Grenfel the latter said that the means for the project were to come from the Confederate Government, and influential citizens of the North were to co-operate. Colonel Grenfel was to lead the attack on the city. Fielding said there were about 1,500 men they could rely on. Grenfel informed witness he was in communication with Judge Morris and his wife in the project. It was attempted to show by oral testimony, in order to impeach and discredit this witness, that he had been convicted while a clerk in the land office in Texas under an indictment for the forgery of land warrants, and to have spent many months in prison in expiation of his crime. This he denied under oath in the most positive manner when cross-examined upon it by the counsel for the defense. It is a well-settled rule of law that the answer of a witness to a question put him on cross-examination upon a collateral matter and with a view to injure his credibility must be taken as final. Evidence in rebuttal cannot be legally admitted afterward to show the falsity of his answer. And though considerable testimony was subsequently introduced by the defense to show that Shanks had been convicted and punished for forgery while in Texas, yet his denial of this accusation on cross-examination is legally decisive of the matter, and renders the admission of

the rebutting testimony to the particular fact of his conviction for forgery wholly unjustified by all the long-established rules of evidence in criminal trials.

Though the evidence referred to was permitted by the court to be introduced—yet being, in fact, inadmissible—the subsequent conviction of the accused is to be accepted by this Bureau as a proof that the court, in obedience to the rules of evidence, ultimately and very properly disregarded it in their deliberations on the case. Considerable testimony was further offered by the defense to the worthlessness of Shanks' general reputation in his native State of Texas. The witnesses to this point, however, were themselves Texans, sharers in the rebellion against the institutions of their country, and therefore deserving of little credit when testifying in the interests of one who is known to have been in former years a leader in their armies, to have taken part in some of the most desperate of their projects, and to have entered heart and soul—himself a foreigner and with no natural stimulus to participation—into the vastest struggle for the overthrow of free institutions and the perpetuation of hopeless slavery which the world has ever known. It has been repeatedly held by this Bureau, and the opinion is still adhered to, that the testimony of men in sympathy with the Confederate cause is to be regarded as nearly or wholly valueless when given in the interest of one who has shared in their sympathies, and whose punishment for crimes common to him and to themselves they are anxious to avert. It is believed, therefore, that the court was justified in the rejection of this testimony when forming their conclusions upon the merits of the case. And when we further take into consideration the fact that the members of the commission had the advantage of a personal inspection of the witnesses, and could judge of their credibility by a multitude of signs which wholly escape the observation of him whose duty it is simply to read the written record, it is believed that there can be no justification for a reversal by this Bureau of conclusions arrived at after a most protracted and toilsome investigation by a tribunal composed of officers of the rank and high intelligence which the members of this commission are known to possess.

Grenfel, it was shown, had come to Chicago direct from a small town in Southern Illinois, where he had spent some months in shooting game. He had been for a long time in the service of the Confederacy, but had finally retired from it; had reported to the Secretary of War at Washington in June, 1864, and had been permitted to go at large by the latter after a careful investigation of his conduct and purposes. The evidence of a witness named Langhorne, touching a previous visit of Grenfel to Chicago at the time of the meeting of the Democratic convention in August, is entitled to a certain weight. Langhorne swears that it had been intended by the rebel agents in Canada, with the co operation of the Sons of Liberty, to make an attack upon the city at that time; that a number of armed men and large sums of money were sent from Canada for the purpose, and that then, as at the November attempt, Grenfel was to take charge of the expedition. Langhorne says in reference to a plan to free the Camp Douglas prisoners in August:

> I traveled in company with Colonel Anderson from Toronto to Chicago just before the Chicago convention of last August. We remained all day in the Grand Junction Depot. The party I was with got on at Jackson, and when we arrived at Chicago Colonel Grenfel was on the train. I had never seen him before on that trip from Toronto, Canada West. The party I was with were Colonel Anderson, Bell, and Doctor Smith; Grenfel was with others, I suppose.

He then goes on to say that he went to General Walsh's house and made cartridges and had a conversation with Walsh, in which the latter said there were upward of 1,200 men engaged in the enterprise. His next reference to Grenfel is that the latter told him that Marmaduke was in Chicago also, which, however, has no bearing on the case, inasmuch as the commission acquitted Marmaduke of the charges. He then states that his party became alarmed from some cause and departed.

> Grenfel came down into our room and said he could not find anybody, either Hines or Marmaduke, who could tell him what to do. He afterward told me that all they had to do was to go to South Illinois and drill copperheads.

It is to be stated here that the evidence of the defense establishes conclusively that he did not do this, but spent the two following months in shooting, in no connection with politics whatever. This is freely admitted by the judge advocate. The witness is subsequently asked if he had any conversation with Grenfel on the cars from Canada to Chicago, and he replied, "Yes;" that Grenfel came up to the end of the car where he and his party were, wearing a gray suit of clothes, and on being told by witness that in those clothes he "would not live five hours in Chicago," replied:

> No; this is an old uniform that was worn in an English battalion I once belonged to. I have my English papers and my dog and gun, and if they ask me what I am doing I will say I am going a hunting.

The remaining testimony affecting Grenfel is that of one George W. Hull, another rebel soldier. He details a conversation had by him in Kentucky in October last with Benjamin M. Anderson, one of the accused, and who committed suicide during the progress of the trial, in which he states Anderson told him of an intended attack on Camp Douglas, and that an Englishman had been found who was to lead the assault. On being pressed the witness stated that he inquired of Anderson if the Englishman's name was Grenfel, and he thinks he answered that it was. In the course of the testimony of this witness he describes several cases of cruelty practiced by the accused on Union men while in the rebel service. These circumstances were not alluded to by the witness until his cross-examination. They are given by him when repeating, on cross-examination, a conversation had by him on the 9th of January, 1865, with one Doctor Jeffries, in which he swears he first divulged Anderson's revelations made the October previous. His testimony in this matter loses, however, somewhat of its weight, because, by his own showing, he kept to himself his knowledge of the intended attack on Chicago till after the commencement of the trial. He subsequently swears that he made no mention of Anderson to Jeffries, but confined his remarks to Grenfel only. He swears that he cannot tell how the prosecution knew of his interview with Anderson, so as to interrogate him on that point.

Col. Absalom B. Moore, One hundred and fourth Illinois Volunteers, testifies to a conversation in his hearing, immediately after the battle of Hartsville, in December, 1862, between two rebel officers, of whom Grenfel was one, in which conversation one of the two remarked that if he could have his way he would raise the black flag and show no quarter to prisoners. This, however, he is not certain to have heard said by Grenfel, though he is positive that it was not opposed by him at the moment. Nothing inculpating Colonel Grenfel in any way was found on the search of his private baggage.

The direct evidence to Grenfel's complicity in the conspiracy is chiefly that of Shanks. Through the illegality of the testimony introduced to

discredit him, and its necessary rejection by the court and this Bureau, he stands unimpeached and is entitled to implicit credit. His testimony is minute, direct, and full, and completely implicates the accused in one of the most stupendous projects of causeless and profitless crime known to modern times. It should be stated, however, that the other defendants at this trial, many of whom were by the testimony as deeply involved in the conspiracy as Grenfel himself, were spared by the court the shame of an ignominious death on the scaffold, and two of them received a full acquittal at its hands. It is for the President to determine whether, in the exercise of the mercy vested in him by the laws, some mitigation of the sentence pronounced by the court may not, without detriment to the interests and the safety of the nation, be extended to the accused. For the accused, himself the subject of a foreign power at peace with our Government, and who, without pretense of provocation or wrong, united himself with traitors and malefactors for the overthrow of our Republic in the interest of slavery, an institution abhorred by his country and people, there can be neither sympathy nor respect. In the altered position of public affairs, however, growing out of the overthrow of the rebellion and the arrest or flight of its leaders, and the security for the future thus afforded, it may be that the President will feel justified in sparing even so unworthy and dishonored a life as that of the accused is shown to be. If the death sentence is commuted it is believed that the punishment substituted should be severe and infamous.

J. HOLT,
Judge-Advocate-General.

[JUNE 30, 1865.—For report of arrest of L. B. Northrop, see Series I, Vol. XLVII, Part III, p. 672.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., June 30, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States, Washington, D. C.:

GENERAL: I have the honor to recommend that the prisoners of war remaining in hospital at Newport News be transferred to the general hospital at Hampton, near Fort Monroe, and that those at Elmira, Camp Chase, Camp Morton, Camp Douglas, and Rock Island be transferred to the post hospital at those several places, to be taken charge of and accounted for by the medical officer in charge. Where the post hospital is not sufficiently large to accommodate all the sick the prison hospital may be occupied. The object of this arrangement is to remove the necessity for a prison guard at these several stations. The sick prisoners will be turned over to the medical officer in charge, who will release them as fast as they are sufficiently recovered, under General Orders, No. 109, current series, reporting such discharges to this office.

I am, general, very respectfully, your obedient servant,
W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

[First indorsement.]

HEADQUARTERS ARMIES OF THE UNITED STATES,
June 30, 1865.

Respectfully forwarded to the Secretary of War and recommended.
U. S. GRANT,
Lieutenant-General.

[Second indorsement.]

Approved and referred to the Adjutant-General to issue the order.

E. M. STANTON,
Secretary of War.

[Third indorsement.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
July 1, 1865.

Respectfully referred to Bvt. Brig. Gen. W. Hoffman, Commissary-General of Prisoners, to carry out the orders of the Secretary of War.

E. D. TOWNSEND,
Assistant Adjutant-General.

BUREAU OF MILITARY JUSTICE, *June 30, 1865.*

Mrs. Broadhead applies for permission to visit Davis in prison.

Respectfully returned to the Secretary of War.

Persons held by the military authorities are allowed intercourse with their friends and counsel, under the usual restrictions, so soon as charges are filed and the prisoners are thus in a condition to proceed in the preparation of their defense, but not until then. This rule should not be departed from except under extraordinary circumstances. Charges have not yet been exhibited against Jefferson Davis, and I do not find in the letter of Mrs. Broadhead any reason for a relaxation of the rule referred to which would not apply to most of the criminals held for trial by the Government. The number and atrocity of the crimes alleged to have been committed by Davis, and the overwhelming proof of his guilt believed to exist, would seem to make it proper, and indeed necessary, that the strictest prison discipline should be enforced in his case. No favorable recommendation can be made on Mrs. Broadhead's application.

J. HOLT,
Judge-Advocate General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 30, 1865.

Maj. Gen. Q. A. GILLMORE, U. S. Volunteers,
Commanding Department of the South, Hilton Head, S. C.:

SIR: By direction of the President of the United States you will receive G. W. Gayle, of Alabama, a prisoner, who will be delivered to you by Capt. C. D. Mehaffey, First U. S. Infantry, and confine him in Fort Pulaski until brought to trial. The President further directs that you detail a military commission without delay for the trial of Gayle upon charges which will be handed you by Mehaffey. Captain Mehaffey has also in charge two witnesses in the case, named John Cantley and W. D. Graves, who are under parole. You will detain them on their parole, furnishing them whatever may be needed for their health and comfort, until their testimony shall have been given, when you will discharge them, paying them such sum as may be deemed adequate compensation for the time they may be detained by the Government from this date. They have been paid $3 per diem for their services to this date. They should be furnished transportation back to their home, Selma, Ala.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL COURT-MARTIAL ORDERS, No. 350.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, June 30, 1865.*

In compliance with General Orders, No. 98, War Department, Adjutant-General's Office, May 27, 1865, the sentences of the following-named prisoners, confined for during the war, have been remitted, and the prisoners have been ordered to be immediately discharged:

MILITARY PRISON, ALTON, ILL.

* * * * * * *

72. William S. Wright, surgeon in the Army of the so-called Confederate States.

CHARGE I: Violation of the laws and customs of war.

CHARGE II: Violation of military orders.

FINDING: Guilty.

SENTENCE: To imprisonment during the war.

* * * * * * *

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

SURGEON-GENERAL'S OFFICE,
Washington City, D. C., June 30, 1865.

Bvt. Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to acknowledge the receipt of your communication of the 29th instant, and to inform you that Col. William J. Sloan, U. S. Army, medical director, Department of the East, has been instructed to make the necessary arrangements for the transfer of prisoners of war from the hospital at Hart's Island, N. Y., to the U. S. general hospital (De Camp), at Davids Island, N. Y.

Very respectfully, your obedient servant.

J. K. BARNES,
Surgeon-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, June 30, 1865.

General E. D. TOWNSEND,
Assistant Adjutant-General, War Department:

GENERAL: I have the honor to send you, herewith inclosed, a letter from Mr. Jefferson Davis to Charles H. Fowler, esq., counsellor at law, New Haven, Conn., for such disposal as you may deem proper.

I have the honor to be, very respectfully, &c.,

NELSON A. MILES,
Brevet Major-General, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., July 1, 1865.

Bvt. Brig. Gen. A. A. STEVENS,
Commanding Camp Morton, Indianapolis, Ind.:

GENERAL: In pursuance of instructions received from the Secretary of War, the Commissary-General of Prisoners directs that you release

as prisoners of war, on their taking the oath of allegiance, all prisoners at Camp Morton who belonged to the Federal Army and while prisoners in the hands of the enemy took the oath of allegiance to the rebel Government, joined the rebel Army, and were captured while fighting against U. S. troops. If any among them can show that they deserted from the rebel Army and surrendered themselves to any U. S. military authority, make a special report in their cases, giving all the facts, with their post-office address when at home. Their own statement as to desertion is not sufficient. The roll of prisoners of the class referred to, forwarded by you on the 28th ultimo, has been received at this office. *

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington City, July 2, 1865—10.30 a. m.

Maj. Gen. Q. A. GILLMORE, U. S. Volunteers,
Hilton Head, S. C.:

Your letter of the 21st has been submitted to the Secretary of War, who directs me to say your conduct in interfering with the prisoners ordered by the Department to be confined is strongly disapproved. Whenever you think a change of treatment in any particular case should be pursued in respect to prisoners in your charge, it is your duty to report the facts and ask instructions, and not assume to set aside the orders of the Department.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
July 3, 1865.

The SECRETARY OF WAR:

The following remarks are respectfully submitted in compliance with order referring to this Bureau the report of a board of officers—composed of four officers of the One hundred and twenty-second U. S. Colored Troops, and one surgeon of volunteers, and convened by Col. J. Ham Davidson, commanding depot of prisoners at Newport News, Va.—to investigate and report the circumstances attending the killing of Private Benjamin Hurt, Company A, Cobb's Georgia Legion, a prisoner of war, by a sentinel of the guard. Two witnesses only were examined—the officer of the guard on duty at the time when Hurt was killed and the sentinel who inflicted the mortal wound. The former—Lieutenant Harold, One hundred and twenty-second U. S. Colored Troops—testified as follows:

I heard a shot inside of the prison. I went down to the sink to inquire the cause. The guard told me that he had fired on a man that had gone on the gallery, where the prisoners were forbidden to go after dark. I said to him: "There is another man on the gallery now; why do you not use the bayonet on him?" He called the man to come away. The man was just about doing so when the guard jumped forward about eight or ten feet and thrust him with the bayonet, but did it so quickly I had no time to prevent it. I was present at the time. The man had moved a step or two from the gallery toward the privy.

* On June 30 similar instructions were sent to other officers commanding prisons.

Private Harrison Woodson, Company G, One hundred and twenty-second U. S. Colored Troops, testified that he went on post on the night of the 7th of May, 1865, to stand from 9 until 11; that about half an hour after he was posted the prisoners came down, nine or ten together, and wanted to sell him rings and breastpins; that some of them said now that Abraham was dead, if Johnson was also dead they would get out. They said they wanted money to buy postage stamps, when the witness told them to catch Jefferson Davis and they would have money.

A sergeant and corporal then came and told me not to let any person go on the gallery. I did not receive any instructions from the former guard. This was about fifteen minutes after I had been put on guard, and whilst these men were talking I halted one man four times and told him I had instructions to shoot. He said he wanted to make water, and commenced doing so, when I fired at him. The cap burst; the gun did not go off and I took it down, and then it went off. The bullet passed over the man's head. I went back and loaded my gun; put in two charges of powder. By that time Lieutenant Harold, the officer of the guard, came down and asked me what was the matter; asked me who it was that fired. I told him it was me. By that time another man went on the platform where I had shot at the other man. I halted him two or three times. Lieutenant Harold told me: "There is a man; who is he?" I told him I reckoned there was one of the men making water again. I understood Lieutenant Harold to say that if they did not stop when they were halted three times to put a bayonet in them, and then I put the bayonet in him, and he ran into the privy and fell. One rebel said to me: "You have killed him dead;" and I said: "Yes, by God! They buried us alive at Fort Pillow."

The Board were of the opinion that although the sentinel acted hastily, yet he was justifiable. In answer to a question of the Commissary-General of Prisoners, Colonel Davidson reports that:

All prisoners were forbidden to go on the gallery after night. Sentinels were instructed by my orders, after halting prisoners three times (if they still disregarded sentinel's orders), to fire upon them.

Brevet Brigadier-General Hoffman, Commissary-General of Prisoners, remarks in submitting this report:

A resort to extreme measures, except when necessary, is prohibited by instructions from this office, and in this case it is plain that the prisoner might have been punished by other means than by taking his life.

The autopsy shows that the wound was inflicted by the bayonet entering the back about two inches below the lowest part of the shoulder blade and passing downward and to the left of the base of the heart. The case is not so perfectly presented as could be desired; but as presented, it is not believed by this Bureau to require that further action should be taken against either the sentinel, who does not appear to have exceeded his instructions, or the officer, whose orders are not shown to have been unwarranted by necessity or proper authority.

J. HOLT,
Judge-Advocate-General.

WASHINGTON, D. C., *July 3, 1865.*

Byt. Maj. Gen. J. K. BARNES, *Surgeon-General U. S. Army:*

GENERAL: By direction of the Secretary of War, the prisoners of war who remain in hospital at Newport News will be transferred to the Hampton general hospital, and those at Elmira, Camp Chase, Camp Douglas, and Rock Island to the post hospital at these several stations.

They will be placed in charge of the surgeon of the hospital, who will discharge them as soon as they are sufficiently recovered to travel to their homes. Blanks and the necessary instructions will be furnished, so that these prisoners may be properly accounted for to this office.

At Camp Douglas, and possibly at Camp Chase, the prison hospitals are more commodious than the post hospitals, and I suggest that they be occupied by our own sick as well as by the prisoners.

As the prisoners are all to be discharged, it will not be necessary to have a guard over them. Will you please give the necessary orders to meet this arrangement? It is desirable to have it made as soon as practicable, as the prison guards may then be relieved.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., July 3, 1865.

Bvt. Brig. Gen. W. P. RICHARDSON,
Commanding Camp Chase, Columbus, Ohio:

GENERAL: By direction of the Secretary of War you will transfer the prisoners of war who remain in hospital after all others are discharged to the post hospital, where they will be placed in charge of the surgeon and you will be relieved from the further care of them. Furnish the surgeon with a list of them, a copy of the Order 109, current series, under which they are to be released when they are sufficiently recovered to be able to travel, and such blanks as he may have occasion to use. If there are prisoners in attendance on the sick, let them go with them to the hospital or release them on their taking the oath of allegiance, as may be most advisable. No guards will be required. If the prison hospital is found to be most convenient for the sick, it may be occupied instead of the post hospital. You will receive instructions in relation to the sale of property belonging to the prison fund, and then the fund will be turned over to the U. S. Treasury.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

(Same to Bvt. Brig. Gen. B. J. Sweet, commanding, Camp Douglas, Chicago, Ill.; Col. A. J. Johnson, commanding, Rock Island Barracks, Rock Island, Ill.; Col. J. R. Lewis, commanding, Elmira, N. Y.)

ALTON, ILL., *July 3, 1865.*

Brevet Major-General RAWLINS, *Chief of Staff:*

GENERAL: I made an inspection of the military prison here to-day and have the honor to report the following for your information: There are no prisoners here now. All have been sent away, by order of General Dodge, to Saint Louis and Jefferson City; 231 Federal prisoners, 34 citizens, and 4 prisoners of war. The latter decline to take the oath. The guard, five companies under command of Colonel Kuhn, are still here guarding the public property. They expect to be relieved soon; in fact, a company of men have been sent from Saint Louis for that purpose. I examined such of the books as have not been sent to Saint Louis. They show a plain record on their face, but of course I could not verify them. The prison appears to have been kept in good police. The public property is being got in readiness for disposal. The treasurer of the prison fund has some $35,000 in his hands. The commissary of subsistence of the post is treasurer. All prisoners against

whom no charges were forwarded were discharged some days since by direction of Lieutenant-General Grant, through the Commissary-General of Prisoners. Colonel Kuhn, present commander, has been in command since March 10, 1865. His regiment, the One hundred and forty-fourth Illinois, was raised for a prison guard and has some five months longer to serve. I should think it would be advisable to muster them out and use the veteran regiments for provost duty. The expense of a guard here will soon exceed all that can be realized from the sale of the public property. The old prison is to be turned over to its owners, it being private property. General Copeland (brigadier-general) was relieved from command of this place in January last, and has remained here since "awaiting orders."

I am, general, very respectfully, your obedient servant,

O. E. BABCOCK,
Lieutenant-Colonel and Aide-de-Camp.

SPECIAL ORDERS, No. 148.

HDQRS. NORTHERN DEPARTMENT,
Cincinnati, Ohio, July 3, 1865.

* * * * * * *

12. Maj. S. P. Lee, Sixth Regiment Veteran Reserve Corps, will at once proceed to Johnson's Island, Ohio, and assume command of the two companies of the regiment now en route for that post. In addition to his other duties, Major Lee will, on Colonel Hill, One hundred and twenty-eighth Ohio Volunteer Infantry, being mustered out of service, take charge of the prison and prisoners at Johnson's Island, under such orders as may have been issued by the Commissary-General of Prisoners or other competent authority, and will be held strictly accountable for the safe-keeping of all the prisoners and property turned over to him by Colonel Hill.

* * * * * * *

By command of Major-General Hooker:

O. H. HART,
Lieutenant-Colonel and Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, July 4, 1865.

General E. D. TOWNSEND,
Assistant Adjutant-General, War Department:

GENERAL: I have the honor to inclose herein a letter from C. C. Clay, jr., to the honorable Secretary of War. I would also state that Mr. Clay, since being confined here, has been treated as well as my orders would permit. His food has been cut up for him before carried in, and he has been allowed a wooden knife to eat with. At my request he has been permitted to walk about for an hour each morning, which is greatly improving his health. He will, I think, in a short time be as well as a man of his constitution can be under the circumstances. He is very anxious for a speedy trial. Unlike Davis, his confinement seems to affect his nervous system.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General, Commanding.

GENERAL COURT-MARTIAL ORDERS, No. 356.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, July 5, 1865.*

I. Before a military commission which convened at Washington, D. C., May 9, 1865, pursuant to paragraph 4 of Special Orders, No. 211, dated May 6, 1865, and paragraph 91 of Special Orders, No. 216, dated May 9, 1865, War Department, Adjutant General's Office, Washington, and of which Maj. Gen. David Hunter, U. S. Volunteers, is president, were arraigned and tried—

David E. Herold, G. A. Atzerodt, Lewis Payne, Mary E. Surratt, Michael O'Laughlin, Edward Spangler, Samuel Arnold, and Samuel A. Mudd.

CHARGE I: For maliciously, unlawfully, and traitorously, and in aid of the existing armed rebellion against the United States of America, on or before the 6th day of March, A. D. 1865, and on divers other days between that day and the 15th day of April, A. D. 1865, combining, confederating, and conspiring, together with one John H. Surratt, John Wilkes Booth, Jefferson Davis, George N. Sanders, Beverly Tucker, Jacob Thompson, William C. Cleary, Clement C. Clay, George Harper, George Young, and others unknown, to kill and murder, within the Military Department of Washington, and within the fortified and intrenched lines thereof, Abraham Lincoln, late, and at the time of said combining, confederating, and conspiring, President of the United States of America and Commander-in-Chief of the Army and Navy thereof; Andrew Johnson, now Vice-President of the United States aforesaid; William H. Seward, Secretary of State of the United States aforesaid, and Ulysses S. Grant, lieutenant-general of the Army of the United States aforesaid, then in command of the Armies of the United States, under the direction of the said Abraham Lincoln; and in pursuance of and in prosecuting said malicious, unlawful, and traitorous conspiracy aforesaid, and in aid of said rebellion, afterward, to wit, on the 14th day of April, A. D. 1865, within the Military Department of Washington aforesaid, and within the fortified and intrenched lines of said military department, together with said John Wilkes Booth and John H. Surratt, maliciously, unlawfully, and traitorously murdering the said Abraham Lincoln, then President of the United States and Commander-in-Chief of the Army and Navy of the United States, as aforesaid; and maliciously, unlawfully, and traitorously assaulting, with intent to kill and murder, the said William H. Seward, then Secretary of State of the United States, as aforesaid; and lying in wait, with intent maliciously, unlawfully, and traitorously, to kill and murder the said Andrew Johnson, then being Vice-President of the United States; and the said Ulysses S. Grant, then being lieutenant-general and in command of the Armies of the United States, as aforesaid.

Specification 1.—In this, that they, the said David E. Herold, Edward Spangler, Lewis Payne, Michael O'Laughlin, Samuel Arnold, Mary E. Surratt, George A. Atzerodt, and Samuel A. Mudd, together with the said John H. Surratt and John Wilkes Booth, incited and encouraged thereunto by Jefferson Davis, George N. Sanders, Beverly Tucker, Jacob Thompson, William C. Cleary, Clement C. Clay, George Harper, George Young, and others unknown, citizens of the United States aforesaid, and who were then engaged in armed rebellion against the United States of America, within the limits thereof, did, in aid of said armed rebellion, on or before the 6th day of March, A. D. 1865, and on divers other days and times between that day and the 15th day of April, A. D. 1865, combine, confederate, and conspire together at Washington City, within the Military Department of Washington, and within the intrenched fortifications and military lines of the said United States, there being, unlawfully, maliciously, and traitorously to kill and murder Abraham Lincoln, then President of the United States aforesaid, and Commander-in-Chief of the Army and Navy thereof; and unlawfully, maliciously, and traitorously to kill and murder Andrew Johnson, now Vice-President of the said United States, upon whom, on the death of said Abraham Lincoln, after the 4th day of March, A. D. 1865, the office of President of the said United States and Commander-in-Chief of the Army and Navy thereof would devolve; and to unlawfully, maliciously, and traitorously kill and murder Ulysses S. Grant, then lieutenant-general, and, under the direction of the said Abraham Lincoln, in command of the Armies of the United States aforesaid; and unlawfully, maliciously, and traitorously to kill and murder William H. Seward, then Secretary of State of the United States aforesaid, whose duty it was by law, upon the death of said President and Vice-President of the United States aforesaid, to cause an election to be held for electors of President of the United States—the conspirators aforesaid designing and intending by the killing and murder of the said Abraham Lincoln, Andrew Johnson, Ulysses S. Grant, and

William H. Seward, as aforesaid, to deprive the Army and Navy of the said United States of a constitutional commander-in-chief; and to deprive the Armies of the United States of their lawful commander; and to prevent a lawful election of President and Vice-President of the United States aforesaid; and by the means aforesaid to aid and comfort the insurgents engaged in armed rebellion against the said United States, as aforesaid, and thereby to aid in the subversion and overthrow of the Constitution and laws of the said United States.

And being so combined, confederated, and conspiring together in the prosecution of said unlawful and traitorous conspiracy on the night of the 14th day of April, A. D. 1865, at the hour of about 10 o'clock and 15 minutes p. m., at Ford's Theater, on Tenth street, in the city of Washington, and within the military department and military lines aforesaid, John Wilkes Booth, one of the conspirators aforesaid, in pursuance of said unlawful and traitorous conspiracy, did, then and there, unlawfully, maliciously, and traitorously, and with intent to kill and murder the said Abraham Lincoln, discharge a pistol, then held in the hands of him, the said Booth, the same being then loaded with powder and a leaden ball, against and upon the left and posterior side of the head of the said Abraham Lincoln; and did thereby, then and there, inflict upon him, the said Abraham Lincoln, then President of the said United States and Commander-in-Chief of the Army and Navy thereof, a mortal wound, whereof afterward, to wit, on the 15th day of April, A. D. 1865, at Washington City aforesaid, the said Abraham Lincoln died; and thereby, then and there, and in pursuance of said conspiracy, the said defendants and the said John Wilkes Booth and John H. Surratt did, unlawfully, traitorously, and maliciously, and with the intent to aid the rebellion as aforesaid, kill and murder the said Abraham Lincoln, President of the United States, as aforesaid.

And in further prosecution of the unlawful and traitorous conspiracy aforesaid, and of the murderous and traitorous intent of said conspiracy, the said Edward Spangler, on said 14th day of April, A. D. 1865, at about the same hour of that day, as aforesaid, within said military department and the military lines aforesaid, did aid and assist the said John Wilkes Booth to obtain entrance to the box in said theater in which said Abraham Lincoln was sitting at the time he was assaulted and shot, as aforesaid, by John Wilkes Booth; and also did then and there aid said Booth in barring and obstructing the door of the box of said theater so as to hinder and prevent any assistance to or rescue of the said Abraham Lincoln against the murderous assault of the said John Wilkes Booth, and did aid and abet him in making his escape after the said Abraham Lincoln had been murdered in manner aforesaid.

And in further prosecution of said unlawful, murderous, and traitorous conspiracy, and in pursuance thereof and with the intent, as aforesaid, the said David E. Herold did, on the night of the 14th of April, A. D. 1865, within the military department and military lines aforesaid, aid, abet, and assist the said John Wilkes Booth in the killing and murder of the said Abraham Lincoln, and did then and there aid and abet and assist him, the said John Wilkes Booth, in attempting to escape through the military lines aforesaid, and did accompany and assist the said John Wilkes Booth in attempting to conceal himself and escape from justice after killing and murdering said Abraham Lincoln, as aforesaid.

And in further prosecution of said unlawful and traitorous conspiracy, and of the intent thereof, as aforesaid, the said Lewis Payne did, on the same night of the 14th day of April, A. D. 1865, about the same hour of 10 o'clock and 15 minutes p. m., at the city of Washington, and within the military department and the military lines aforesaid, unlawfully and maliciously make an assault upon the said William H. Seward, Secretary of State, as aforesaid, in the dwelling-house and bedchamber of him, the said William H. Seward, and the said Payne did then and there, with a large knife, held in his hand, unlawfully, traitorously, and in pursuance of said conspiracy, strike, stab, cut, and attempt to kill and murder the said William H. Seward, and did thereby, then and there, and with the intent aforesaid, with said knife inflict upon the face and throat of the said William H. Seward divers grievous wounds. And the said Lewis Payne, in further prosecution of said conspiracy, at the same time and place last aforesaid, did attempt, with the knife aforesaid, and a pistol held in his hand, to kill and murder Frederick W. Seward, Augustus H. Seward, Emrick W. Hansell, and George F. Robinson, who were then striving to protect and rescue the said William H. Seward from murder by the said Lewis Payne, and did then and there, with said knife and pistol held in his hands, inflict upon the head of said Frederick W. Seward, and upon the persons of said Augustus H. Seward, Emrick W. Hansell, and George F. Robinson, divers grievous and dangerous wounds with intent, then and there, to kill and murder the said Frederick W. Seward, Augustus H. Seward, Emrick W. Hansell, and George F. Robinson.

And in further prosecution of said conspiracy and its traitorous and murderous designs, the said George A. Atzerodt did, on the night of the 14th of April, A. D. 1865, and about the same hour of the night aforesaid, within the military department and the military lines aforesaid, lie in wait for Andrew Johnson, then Vice-President of

the United States aforesaid, with the intent unlawfully and maliciously to kill and murder him, the said Andrew Johnson.

And in the further prosecution of the conspiracy aforesaid, and of its murderous and treasonable purposes aforesaid, on the nights of the 13th and 14th of April, A. D. 1865, at Washington City, and within the military department and military lines aforesaid, the said Michael O'Laughlin did then and there lie in wait for Ulysses S. Grant, then lieutenant-general and commander of the Armies of the United States, as aforesaid, with intent then and there to kill and murder the said Ulysses S. Grant

And in further prosecution of said conspiracy, the said Samuel Arnold did, within the military department and military lines aforesaid, on or before the 6th day of March, A. D. 1865, and on divers other days and times between that day and the 15th day of April, A. D. 1865, combine, conspire with, and aid, counsel, abet, comfort, and support, the said John Wilkes Booth, Lewis Payne, George A. Atzerodt, Michael O'Laughlin, and their confederates, in said unlawful, murderous, and traitorous conspiracy and in the execution thereof, as aforesaid.

And in further prosecution of the said conspiracy, Mary E. Surratt did, at Washington City, and within the military department and military lines aforesaid, on or before the 6th day of March, A. D. 1865, and on divers other days and times between that day and the 20th day of April, A. D. 1865, receive, entertain, harbor and conceal, aid and assist the said John Wilkes Booth, David E. Herold, Lewis Payne, John H. Surratt, Michael O'Laughlin, George A. Atzerodt, Samuel Arnold, and their confederates, with knowledge of the murderous and traitorous conspiracy aforesaid, and with intent to aid, abet, and assist them in the execution thereof, and in escaping from justice after the murder of the said Abraham Lincoln, as aforesaid.

And in further prosecution of said conspiracy, the said Samuel A. Mudd did, at Washington City, and within the military department and military lines aforesaid, on or before the 6th day of March, A. D. 1865, and on divers other days and times between that day and the 20th day of April, A. D. 1865, advise, encourage, receive, entertain, harbor and conceal, aid and assist the said John Wilkes Booth, David E. Herold, Lewis Payne, John H. Surratt, Michael O'Laughlin, George A. Atzerodt, Mary E. Surratt, and Samuel Arnold, and their confederates, with knowledge of the murderous and traitorous conspiracy aforesaid, and with intent to aid, abet, and assist them in the execution thereof, and in escaping from justice after the murder of said Abraham Lincoln, in pursuance of said conspiracy in manner aforesaid.

To which charge and specification the accused, David E. Herold, G. A. Atzerodt, Lewis Payne, Mary E. Surratt, Michael O'Laughlin, Edward Spangler, Samuel Arnold, and Samuel A. Mudd, pleaded not guilty.

FINDINGS AND SENTENCES.

1. In the case of David E. Herold, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except combining, confederating, and conspiring with Edward Spangler; as to which part thereof, not guilty.

Of the charge, guilty, except the words of the charge, that he combined, confederated, and conspired with Edward Spangler; as to which part of said charge, not guilty.

And the commission does, therefore, sentence him, the said David E. Herold, to be hanged by the neck until he be dead, at such time and place as the President of the United States shall direct, two-thirds of the members of the commission concurring therein.

2. In the case of George A. Atzerodt, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

Of the charge, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence him, the said George A. Atzerodt, to be hung by the neck until he be dead, at such time and place as the President of the United States shall direct, two-thirds of the members of the commission concurring therein.

3. In the case of Lewis Payne, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

Of the charge, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence him, the said Lewis Payne, to be hung by the neck until he be dead, at such time and place as the President of the United States shall direct, two-thirds of the members of the commission concurring therein.

4. In the case of Mary E. Surratt, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except as to receiving, entertaining, harboring, and concealing Samuel Arnold and Michael O'Laughlin, and except as to combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

Of the charge, guilty, except as to combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence her, the said Mary E. Surratt, to be hung by the neck until she be dead, at such time and place as the President of the United States shall direct, two-thirds of the members of the commission concurring therein.

5. In the case of Michael O'Laughlin, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except the words thereof as follows: "And in the further prosecution of the conspiracy aforesaid, and of its murderous and treasonable purposes aforesaid, on the nights of the 13th and 14th of April, A. D. 1865, at Washington City, and within the military department and military lines aforesaid, the said Michael O'Laughlin did then and there lie in wait for Ulysses S. Grant, then lieutenant-general and commander of the Armies of the United States, with intent then and there to kill and murder the said Ulysses S. Grant;" of said words not guilty, and except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

Of the charge, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence him, the said Michael O'Laughlin, to be imprisoned at hard labor for life at such penitentiary as the President of the United States shall designate.

6. In the case of Edward Spangler, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, not guilty, except as to the words, "The said Edward Spangler, on said 14th day of April, A. D. 1865, at about the same hour of that day, as aforesaid, within said military department and the military lines aforesaid, did aid and abet him (meaning John Wilkes Booth) in making his escape after the said Abraham Lincoln had been murdered in manner aforesaid;" and of these words, guilty.

Of the charge, not guilty, but guilty of having feloniously and traitorously aided and abetted John Wilkes Booth in making his escape after having killed and murdered Abraham Lincoln, President of the United States, he, the said Edward Spangler, at the time of aiding and abetting, as aforesaid, well knowing that the said Abraham Lincoln, President, as aforesaid, had been murdered by the said John Wilkes Booth, as aforesaid.

And the commission does, therefore, sentence him, the said Edward Spangler, to be confined at hard labor for the period of six years, at such penitentiary as the President of the United States shall designate.

7. In the case of Samuel Arnold, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

Of the charge, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence him, the said Samuel Arnold, to be imprisoned at hard labor for life, at such penitentiary as the President of the United States shall designate.

8. In the case of Samuel A. Mudd, the commission, having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty; and except receiving, entertaining, harboring, and concealing Lewis Payne, John H. Surratt, Michael O'Laughlin, George A. Atzerodt, Mary E. Surratt, and Samuel Arnold; of this, not guilty.

Of the charge, guilty, except combining, confederating, and conspiring with Edward Spangler; of this, not guilty.

And the commission does, therefore, sentence him, the said Samuel A. Mudd, to be imprisoned at hard labor for life, at such penitentiary as the President of the United States shall designate.

II. The proceedings, findings, and sentences in the foregoing cases having been submitted to the President of the United States, the following are his orders:

EXECUTIVE MANSION, *July 5, 1865.*

The foregoing sentences in the cases of David E. Herold, George A. Atzerodt, Lewis Payne, Michael O'Laughlin, Edward Spangler, Samuel Arnold, Mary E. Sur-

ratt, and Samuel A. Mudd are hereby approved, and it is ordered that the sentences in the cases of David E. Herold, G. A. Atzerodt, Lewis Payne, and Mary E. Surratt be carried into execution by the proper military authority, under the direction of the Secretary of War, on the 7th day of July, 1865, between the hours of 10 o'clock a. m. and 2 o'clock p. m. of that day. It is further ordered that the prisoners, Samuel Arnold, Samuel A. Mudd, Edward Spangler, and Michael O'Laughlin, be confined at hard labor in the penitentiary at Albany, N. Y., during the period designated in their respective sentences.

ANDREW JOHNSON,
President.

III. Maj. Gen. W. S. Hancock, U. S. Volunteers, commanding Middle Military Division, is commanded to cause the foregoing sentences in the cases of David E. Herold, G. A. Atzerodt, Lewis Payne, and Mary E. Surratt to be duly executed in accordance with the President's order.

EXECUTIVE MANSION, *July 15, 1865.*

IV. The Executive Order, dated July 5, 1865, approving the sentences in the cases of Samuel Arnold, Samuel A. Mudd, Edward Spangler, and Michael O'Laughlin is hereby modified so as to direct that the said Arnold, Mudd, Spangler, and O'Laughlin be confined at hard labor in the military prison at Dry Tortugas, Fla., during the period designated in their respective sentences. The Adjutant-General of the Army is directed to issue orders for the said prisoners to be transported to the Dry Tortugas, and to be confined there accordingly.

ANDREW JOHNSON,
President.

V. Maj. Gen. W. S. Hancock, U. S. Volunteers, commanding Middle Military Division, is commanded to send the prisoners Samuel Arnold, Samuel A. Mudd, Edward Spangler, and Michael O'Laughlin, under charge of a commissioned officer, with a sufficient guard, to the Dry Tortugas, Fla., where they will be delivered to the commanding officer of the post, who is hereby ordered to confine the said Arnold, Mudd, Spangler, and O'Laughlin at hard labor during the periods designated in their respective sentences.

VI. The military commission of which Maj. Gen. David Hunter is president is hereby dissolved.*

By command of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., July 5, 1865.

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States, Washington, D. C.:

GENERAL: I have the honor to report that, except a few sick who have been transferred to the post hospitals, all prisoners of war have been released from the following-named military prisons, viz: Point

* By authority of the Secretary of War the record of this commission was edited by Benn Pitman, recorder to the commission, and published by Moore, Wilstach & Baldwin, Cincinnati, 1865, under the title "The Assassination of President Lincoln and the Trial of the Conspirators."

Lookout, Newport News, Hart's Island, Elmira, N. Y., Camp Chase, near Columbus, Ohio, Camp Morton, near Indianapolis, Ind., Camp Douglas, near Chicago, Ill., Rock Island, Ill., and the military prison at Alton, Ill., and the forces stationed at these several places as guards to the prisons may now be relieved.

There are now but 150 rebel officers confined at Johnson's Island, and if it is thought advisable they may be transferred to Fort Warren or Fort Delaware, by which arrangement the guard can be relieved and the island may be returned to its owner; but I would again respectfully suggest that, inasmuch as there are extensive buildings and other works on the island belonging to the Government, the island be not given up until it is decided whether it will not be required for a naval depot, for which its situation in a commodious bay at the southern end of Lake Erie seems to fit it in an eminent degree.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

HILTON HEAD, *July 7, 1865.*

EDWIN M. STANTON, *Secretary of War:*

I have received General Townsend's telegram of the 2d, conveying your rebuke for my alleged interference with the prisoners ordered by the Department to be confined and for assuming to set aside the orders of the Department. There is a grave mistake somewhere. I never received any orders to arrest Mr. Trenholm, nor any dispatch nor letter in which his name was mentioned, nor any reply to my telegram to the Adjutant-General of June 16 notifying him that I had made the arrest. I have never set aside your orders nor knowingly disregarded your wishes.

Q. A. GILLMORE,
Major-General.

HEADQUARTERS DEPOT PRISONERS OF WAR,
Elmira, N. Y., July 8, 1865.

Col. J. R. LEWIS, *Commanding Depot Prisoners of War:*

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending July 8, 1865:

Conduct—good. Cleanliness—very good. Clothing—sufficient. Bedding—abundant. State of quarters—clean, well policed. State of mess-houses—very well policed. State of kitchen—remarkably neat and clean. Food, quality of—good. Food, quantity of—abundant. Water—sufficient. Sinks—in very good order. Police of grounds—very careful. Drainage—good. Police of hospital—excellent. Attendance of sick—excellent. Hospital diet—very good. General health of prisoners—much improved. Vigilance of guard—excellent.

Remarks and suggestions.—I respectfully call the commanding officer's attention to the greatly superior advantages of hospital buildings and grounds in prison camp to the cheerless and otherwise inappropriate character of buildings now in use for general hospital. The great beauty of the grounds and taste in arranging the flowers and walks in the prison camp would add to the invalid's pleasure and chances for

a prompt recovery, contrasted with the general hospital now in use, which is without any cheerful surroundings, no adornment, and in a position of no beauty or taste. I would recommend abandonment of buildings now in use as general hospital and transfer of sick to hospital in prison camp as a sanitary measure and greatly for the benefit of the service. Added to this, the sick would be in charge of a regularly commissioned surgeon.

Very respectfully, your obedient servant,

P. W. STANHOPE,

Bvt. Maj., U. S. Army, Capt., Twelfth Infty., Inspecting Officer.

[Indorsement.]

The remarks of the inspector as regards the general hospital are extra-official, as said hospital is not under my command, but the facts are as stated.

Respectfully referred to the Commissary-General of Prisoners.

J. R. LEWIS,

Colonel First Regt. Veteran Reserve Corps, Comdg. Depot.

JACKSONVILLE, FLA., *July 11, 1865.*

His Excellency ANDREW JOHNSON,

President of the United States:

Mr. PRESIDENT: The inclosed letter* from Mr. D. L. Yulee, now a prisoner at Fort Pulaski, Ga., was received yesterday. I have to request that it and my remarks may be filed with Mr. Yulee's petition until such time as Your Excellency may be able to act on said petition. I have questioned quite a number of citizens, some loyal and others lately active among the rebels, and all agree that Mr. Yulee has lived quietly at his home during the late struggle and refused all offers of office under the so-called Confederate authorities. I conversed with Mr. Yulee previous to his arrest and since, and have inquired of others concerning him, and I infer from his conversation, as well as from the testimony of others, that he belonged to the peaceable secession party, and was bitterly opposed to any resort to arms, desiring to have the question of secession settled either by the courts or by a general convention to amend the Constitution. Mr. Yulee informed me previous to his arrest that as soon as he was satisfied that the Government intended to carry out President Lincoln's emancipation proclamation he intended to call his slaves together and notify them that they were free, and that he would make arrangements with them for cultivating the growing crops. I am also informed that he advised his friends to pursue a similar course. They have generally done so, and comparative quiet and industry prevail throughout the limits of my command. From my conversations with Mr. Yulee I should infer that he was not opposed to the adoption by the State of the constitutional amendment abolishing slavery and of a resolution disowning the right of secession. Should Your Excellency see proper to extend Executive clemency to Mr. Yulee I think you will have no reason to regret having done so, and that you will find in him a peaceable and law-abiding citizen.

I am, very respectfully, Your Excellency's obedient servant,

I. VOGDES,

Brigadier-General.

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*See Yulee to Johnson, June 24, p. 668.

COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPT.,
Boston, July 11, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner of Exchange, Washington, D. C.:

GENERAL: I have the honor to inform you that the two colored boys attached to the Forty-second Massachusetts, and sold in Texas, have returned in safety to Massachusetts since my letters to you of the 2d and 7th of June.

I have the honor to be, general, very respectfully, your obedient servant,

H. WARE,
Major and Assistant Adjutant-General, Private Secretary.

WAR DEPARTMENT,
Washington City, July 11, 1865—3.50 p. m.

Mrs. JOHN A. CAMPBELL:
(Care Major-General Terry, Richmond.)

The application for the release of Judge Campbell from imprisonment at Fort Pulaski was considered by the President in Cabinet to-day, and I am directed to inform you that the President does not consider it expedient to grant the request or to make any order for the liberation of Judge Campbell at present.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, July 11, 1865—3.45 p. m.

Judge WILLIAM M. MERRICK, *Baltimore:*

Mr. Yulee's application for release from Fort Pulaski has been considered by the President, who declines to grant the request, and directs that Mr. Yulee be detained in custody at Fort Pulaski.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, *July 11, 1865.*

Major-General MILES, *Fort Monroe:*

The Secretary of War directs me to request that you will inform Mr. Clay, a prisoner in your charge, that his letter addressed to the Secretary was received and submitted to the President in Cabinet; that the President will not at present make any order in regard to Mr. Clay, but directs that he be detained in custody as heretofore, and order former orders allowing him such food and recreation as his health may require, in accordance with the directions heretofore communicated to you by this office.

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, *July 12, 1865.*

Hon E. M. STANTON, *Secretary of War:*

Col. O. E. Babcock, of my staff, has just returned from a tour of inspection to Rock Island, Alton, and Indianapolis. He will make a

written report in which I may make some recommendations for orders. He reports, however, verbally, that at each of the prisons there is considerable property which has been purchased out of prison funds and a large amount of funds on hand at each place. There is now no longer any use for this property or money for the purposes for which it was obtained. It clearly belongs to Government. I would therefore recommend that an order be made requiring officers at all prisons which have been emptied to sell all property that has been purchased out of prison funds, and at all other prisons to do the same thing as fast as they are cleared of prisoners, and to turn the money over to the proper authorities.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, D. C., July 13, 1865.

Bvt. Col. T. S. BOWERS,
Assistant Adjutant-General, U. S. Army:

COLONEL: I have the honor to submit the following report for the information of the lieutenant-general commanding: In accordance with Special Orders, No. 343, Adjutant-General's Office, War Department, June 29, 1865, and telegraph dispatch of July 3, signed by the lieutenant-general, I made an inspection of the prison at Alton, Ill., on the 3d of July. Found no inmates, all having been discharged or transferred to Jefferson City and Saint Louis, Mo., by order of General Dodge, commanding Department of the Missouri. I found a guard of five companies of the One hundred and forty-fourth Illinois Volunteer Infantry. The old Alton penitentiary and the temporary barracks and hospitals are all that require guarding. Colonel Kuhn, commanding the One hundred and forty-fourth Volunteers (Illinois), informed me on the 4th of July that he had received orders to proceed to Springfield, Ill., with his regiment to be mustered out, a company having been sent from Saint Louis to do the necessary guard duty. I examined such of the records as remained at Alton and found them in apparent good order, but could not verify them, as the prisoners had all been removed. The prison fund on hand amounts to near $35,000. I would recommend the breaking up of this post at once, the prison to be turned over to its owners, the public property to be sold or transferred to other depots.

I inspected the military prison at Rock Island on the 6th of July. This prison is also empty. It is guarded by seven companies of Veteran Reserve Corps. Six companies were under orders to proceed to Springfield, Ill. The prisoners here were exchanged, or released on taking the oath of allegiance. The grounds, barracks, hospitals, and records all show great care and attention on the part of the commanding officer, Colonel Johnson. The prison fund here amounts to $174,068.15. As this island is to be the place of deposit of a large amount of ammunition I would recommend the preservation of the buildings. The locality has the appearance of being very healthy, and would, in my opinion, be a fine location for a general hospital, if the establishment of such should again become necessary.

I inspected the prison at Indianapolis on the 10th of July and found eight prisoners—one citizen and seven prisoners of war. Citizen William E. Munford, supposed to be a lieutenant in the C. S. Army, held as a spy, was arrested with one Maj. J. B. Castleman on same charge. Castleman has been released on condition that he would leave

the country not to return. I would recommend Munford to be released on taking the oath of allegiance or required to leave the country. The seven turned over as prisoners of war are held as deserters from our own Army. I submit herewith a statement* furnished by the commanding officer of the prison. I would recommend their discharge on taking the oath of allegiance, as their trial would be attended with many difficulties and great expense, and they can do no harm if released. The prison grounds, barracks, and particularly the hospital, show great care on the part of the commanding officer, Brevet Brigadier-General Stevens, Veteran Reserve Corps. The prison fund amounts to about $100,000. These prisoners released or transferred, the major-general commanding the district, Major-General Hovey, informs me that he can dispense with all but one camp at this place, which will reduce his necessary guards very much. I would recommend the immediate sale of all but one of these camps. I also found some forty of the Veteran Reserve Corps prisoners in the guard-house, guilty of mutiny. The major-general commanding says their guilt is clear and recommends their dishonorable discharge without pay as an economical and judicious disposition. I am of the opinion that nearly every temporary barrack and appendage throughout the country might be sold at once and the necessary expense of guarding be dispensed with. The discharged troops detained temporarily at specified rendezvous for payment might be supplied with wall and A tents, which would require but small guards, the tents to be kept stored whenever not occupied.

Respectfully submitted.

O. E. BABCOCK,
Lieutenant-Colonel and Aide-de-Camp.

SPECIAL ORDERS, No. 168.

HDQRS. DEPT. OF WASHINGTON, TWENTY-SECOND ARMY CORPS, *July 13, 1865.*

* * * * * * *

6. I. Under instructions from the Headquarters of the Army Point Lookout, Md., is discontinued as a garrisoned post.

All general and general staff officers there serving will, under the provisions of General Orders, No. 106, current series, War Department, Adjutant General's Office, of June 2, 1865, proceed to their respective homes, and thence report by letter to the Adjutant-General of the Army.

II. The commanding officer Twenty-fourth Regiment U. S. Colored Troops will detail a strong company of his regiment, commanded by a reliable officer, to take charge of, until further orders, the public property at that post. With the remainder of his regiment he will report for duty with as little delay as practicable to Major-General Terry, commanding Department of Virginia, at Richmond.

The quartermaster's department will furnish the required transportation.

* * * * * * *

By command of Major-General Augur:

R. CHANDLER,
Assistant Adjutant-General.

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*Omitted.

WAR DEPARTMENT, *Washington City, July 14, 1865.*

Major-General MILES, *Commanding, Fort Monroe:*

Recent information from Canada indicates that there is some plot going on for an effort—by surprise, stratagem, or other means—to liberate Davis and Clay. The Government has implicit reliance on your vigilance, but it is due to you to be apprised of what the enemy designs.

EDWIN M. STANTON,
Secretary of War.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., July 15, 1865.

Brig. Gen. J. HOLT, *Judge-Advocate-General, Washington, D. C.:*

GENERAL: By direction of the lieutenant-general commanding the Army, I have the honor to inclose herewith a list of two prisoners in confinement at Johnson's Island—Charles H. Cole and John E. Robinson—with documents showing what evidence is against them,* and your opinion is respectfully requested as to the disposition that shall be made of these men.

I am, general, very respectfully, your obedient servant,
W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

RICHMOND, VA., *July 15, 1865.*

Lieutenant-Colonel ORDWAY,
Provost-Marshal-General, Department of Virginia:

The undersigned, appointed a board in accordance with Special Orders, No. 25, headquarters Department of Virginia, Office of Provost-Marshal-General, of June 3, 1865, respectfully submit the following final report of our investigation into the case of Judge Ould, Major Carrington, Captain Hatch, and Capt. C. Morfit, late officers in the C. S. Army.

We find that all money was taken from Federal prisoners on their being committed to Libby Prison by order of Maj. Thomas P. Turner, C. S. Army, and turned over by him to Capt. C. Morfit, assistant quartermaster, C. S. Army, together with invoices of the same, giving the name of each person to whom said money belonged. This money was regularly credited to the proper owners upon the books of Captain Morfit, the names being numerically arranged. From the funds which they had deposited prisoners were generally allowed $100 per month in Confederate money. The rate which they were allowed was generally $7 Confederate for one U. S. Treasury note, this rate being fixed by the Confederate Secretary of War. During a part of the year 1864, however, they were merely allowed dollar for dollar. Captain Morfit's books show the rate allowed in each individual transaction. When prisoners were exchanged the balance due to them was generally paid them in kind, and their receipts taken by Captain Morfit, although there were rare instances in which they were compelled to take Confederate money instead of U. S. Treasury notes which they had thus deposited. By an order of the Confederate Secretary of War all sums

*See Hill to Hitchcock, October 1, 1864, Vol. VII, this series, p. 901.

taken from prisoners of a larger amount than $500 was confiscated, in the supposition that it might be United States Government funds. But two instances of this character, however, were discovered upon the books of Captain Morfit.

Major Turner's books showing amounts taken from prisoners were burned by himself on the night of the evacuation of Richmond. Still, the Board is satisfied that all moneys received and disbursed by Captain Morfit were faithfully recorded upon his books. We find that by order of the Quartermaster-General C. S. Army $15,000 U. S. Treasury notes belonging to Federal prisoners were turned over to that officer and his receipt taken for the same by Captain Morfit, leaving a balance of ——— to be accounted for by Captain Morfit. This amount we found had been deposited by him in the hands of Major Carrington, late paymaster, and William Norris, commissioner of exchange, and has been turned over to the provost-marshal-general, Department of Virginia by those officers. Former reports in the case of Major Carrington and Captain Morfit will show the several amounts.

In accordance with orders from General Gardner, provost-marshal-general, C. S. Army, Captain Morfit had turned over to Captain Hatch, assistant to Judge Ould, a part of the moneys belonging to Federal prisoners, as shown by previous reports. All moneys thus received by Captain Hatch have been turned over to Brevet Brigadier-General Mulford, assistant agent of exchange.

A thorough investigation of the whole system of keeping the money accounts of Federal prisoners has been made, and we find that the books of Judge Ould, Captain Hatch, and Captain Morfit were systematically and correctly kept, and so far as the parties to this investigation are concerned we fully exonerate them from all charges of fraud or dishonesty. Whatever they may have done which appears to have reflected discredit upon the Confederate Bureau of Exchange we find was done by higher authority, the parties in question having throughout acted in a straightforward, legitimate manner, as they in every instance produce the original orders on which they acted.

We respectfully recommend that all books and papers belonging to the office of Judge Ould and Captain Hatch, and all books and papers from the office of Captain Morfit pertaining to or in any way relating to the Federal prisoners be turned over to Bvt. Brig. Gen. J. E. Mulford, assistant agent of exchange, U. S. Army.

We further recommend that the retained papers of Captain Morfit's quartermaster accounts, together with the property and papers relating to the same of deceased Confederate soldiers, be turned over to Captain Morfit.

We take pleasure in stating that during this entire investigation the parties accused have manifested a perfect willingness to assist, and have offered every facility in bringing about a final consummation of our inquiries. The most minute inquiries have been satisfactorily answered and explained by all parties concerned.

J. McENTEE,
Lieut. Col. Twentieth New York, and President of Mil. Com.
THOS. F. EDMANDS,
Major Twenty-fourth Massachusetts Volunteer Infantry.
J. M. SCHOONMAKER,
Captain, and Recorder Military Commission.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
July 18, 1865.

Bvt. Brig. Gen. W. HOFFMAN, U. S. Army,
Commissary-General of Prisoners, Washington, D. C.:

GENERAL: I have the honor to acknowledge the receipt of your communication of the 15th instant, with which, pursuant to the direction of the lieutenant-general of the Army, you inclose the papers in the cases of Charles H. Cole and John E. Robinson (held as prisoners of war) for the opinion thereon of the Judge-Advocate-General as to their proper disposition, and in reply thereto would respectfully submit as follows:

It is clearly disclosed by the report of Col. Charles W. Hill, U. S. Army, and the testimony accompanying the same, that Cole was an active co-conspirator with Jacob Thompson, C. C. Clay, jr., W. Norris, and others in Canada and the neighboring States of the Union, in a scheme to release in September last the rebel prisoners confined on Johnson's Island, and to seize the U. S. steamer Michigan, then stationed at Sandusky, Ohio; that Cole had, for a considerable period before his arrest (on 19th of September), been engaged in the preparatory details of the expedition, and that while so engaged he was directly in the pay of the rebel Government, receiving from Thompson, its "agent and commissioner," sundry sums of money in gold and U. S. Treasury notes, amounting in all to about $4,000; further, that Robinson was a subordinate of Cole in the general plan, and, though possessed of less intelligence, was actively employed in the plot.*

What the details alluded to precisely were, beyond passing to and fro between the representatives of the rebellion in Canada and the United States, and acting principally at Sandusky as a principal and director of the parties on the United States side of the lake who were to co-operate in carrying out the scheme, does not clearly appear. The seizure, however, of the steamers Island Queen and Philo Parsons by Canadian rebels on the same day as that on which Cole was arrested was a signal overt act of the conspiracy, for which he is no doubt to be held responsible equally with those immediately concerned therein.

The only direct testimony connecting Cole actively with the plot is, indeed, his own confession. This confession was oral, and does not appear in written form, but having been made, and, as it is understood, voluntarily, in the presence of Colonel Hill and Captain Carter, of the Michigan, and carefully noted, in substance, by the former, it may readily be introduced in evidence.

No confession or statement by Robinson appears to have been presented, and the only proof against him is found in the declarations of Cole.

Upon the arrest of the latter a communication was addressed by Thompson and Clay, from Toronto, Canada West, to Colonel Hill, protesting against Cole's being treated as a spy, and claiming that he was an escaped rebel prisoner who could merely be returned to captivity by the U. S. authorities, but could not be proceeded against for any crime.

But though there is no evidence that Cole was technically a spy, yet that he is to be treated as a criminal, and not as a prisoner of war, is abundantly shown by the papers found in his possession upon his apprehension. From these it appears that when a prisoner of war at Memphis in April, 1864, he subscribed both to a formal parole not to take up arms against the United States or give any aid or comfort to

* See Thompson's report, Series I, Vol. XLIII, Part II, p. 930.

the enemy, and to an oath of allegiance to the Government; and that thereupon he was granted, under the designation of "Charles Cole, late a captain in the rebel Army," a permission to proceed to Harrisburg, Pa., with the condition only that he should report to the provost-marshal there. He was, therefore, to be deemed, from and after that time, as a citizen, under military surveillance, perhaps, but no less a citizen and owing allegiance as such to the United States.

It follows, therefore, that this party is triable, as follows:

For a treasonable conspiracy with Robinson, Thompson, Clay, Norris, and others.

For a violation of the laws of war in engaging in an attempt to seize Government property and release prisoners of war.

For a violation of his oath of allegiance.

For a violation of his parole.

Upon any and all of these charges he is believed to be triable by a military commission.

As to Robinson, although no doubt guilty of the first two offenses, yet in the absence of any other testimony against him than that of Cole, he could not well be convicted except upon the first; and it may therefore be deemed best, if it be determined to bring these parties to trial, to arraign and try them together upon the first charge, and not further prosecute Cole separately upon the other charges specified.

It would appear, however, that the criminality of Robinson is of a character much less grave than that of Cole, and also that he is not a person of influence or much intelligence. It is suggested, therefore, that the privilege be offered him of appearing as a witness against Cole, upon the usual terms of pardon, provided he fully and frankly discloses all the facts within his knowledge; and that should he so appear and disclose, the trial of Cole upon all the charges indicated be proceeded with.

That this man—at once a secret agent and hireling of the rebellion and a false and perjured traitor—should escape punishment would appear to involve a deplorable failure of justice.

In the absence of the Judge-Advocate-General:

A. A. HOSMER,
Major and Judge-Advocate.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, July 18, 1865.

Maj. Gen. Q. A. GILLMORE, U. S. Volunteers,
Commanding Department of South Carolina, Hilton Head, S. C.:

SIR: Your letter of the 7th instant in relation to the release of Mr. Trenholm from Fort Pulaski has been seen by the Secretary of War, who directs me to say that your explanation entirely exonerates you from blame.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, July 20, 1865.

Brigadier-General HOFFMAN, *Commissary-General of Prisoners:*

SIR: The President of the United States directs that the commanders of the several prison stations be instructed to proceed immediately

to discharge all the prisoners of war of the rebel Army and Navy except those captured with Jefferson Davis, and any others where special reasons are known to exist for holding them, upon the following conditions: First, that they take the oath of allegiance to the United States; second, that they give their paroles to be of good behavior and commit no act of hostility against the United States.

The Quartermaster's Department will furnish transportation to all released prisoners to the nearest accessible point to their homes, by rail or steam-boat. You will please report the names and places of confinement of those excepted.

It is believed that there are some prisoners of war in the Old Capitol who should be released under this order.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 20, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: During the last week Mr. Davis appears extremely dejected. He takes little or no exercise, constantly sitting in his chair or reclining on his couch. I suggest the propriety of allowing him to be taken out into the open air occasionally, this to be done under my own supervision, as that seems to be the only method of requiring him to take exercise, which he seems to avoid. When he heard of the execution of the assassins he made the remark that "President Johnson is very quick on the trigger." Since then he seems to realize that there is a Government and is exceedingly humble. Major Church, who takes this communication, will give you any particulars you may desire.

I am, with great respect, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT, *Washington City, July 22, 1865.*

Major-General MILES, *Commanding, Fort Monroe:*

Your letter was received. Your messenger went back to-day with a brief note. Since his departure, upon consultation, it has been determined:

First. That you may remove the guards and lights from Mr. Davis' room if they are inconvenient to him, taking such precautionary measures as you may think adequate for his security.

Second. That you may allow him to take such exercise in the open air, under your own immediate supervision, as the surgeon in charge may deem essential to his health, but allowing no other persons to hold communication with him.

Third. You may allow him such books and papers as he may desire to read.

Fourth. You should see him personally every day, and if any other relaxation consistent with his secure detention is deemed beneficial to his health by yourself or his surgeon you will report it to this Department.

Fifth. You will make daily reports of your visits to him and the state of his health, and oftener if his health changes for the worse.

Sixth. You will continue every vigilance and precaution against efforts to escape by surprise, stratagem, or other means, but it is not the desire of the Government to subject him to any hardships not essential to his secure detention.

EDWIN M. STANTON,
Secretary of War.

FORT MONROE, VA., *July 23, 1865—1 p. m.*

Brig. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to acknowledge the receipt of telegram of last evening from the honorable Secretary of War giving instructions in regard to the treatment of the prisoner Jefferson Davis.

I have the honor to be, your obedient servant,

N. A. MILES,
Brevet Major-General.

EXECUTIVE OFFICE, *Washington, D. C., July 24, 1865.*

JOSEPH E. BROWN, *Atlanta, Ga.:*

The Governor of the State ought to proceed at once to appoint persons to administer the amnesty oath. The oath can be administered by any military or civil officer who is loyal to the Government of the United States. I am gratified to know that the people of Georgia are acting so promptly in restoring civil authority, and hope it will be a complete success. The letters referred to by you sent by express have not been received. Judge Patterson is somewhere in Tennessee; will be here soon.*

ANDREW JOHNSON,
President of the United States.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 24, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report, in compliance with instructions, that I find Jeff. Davis as well to-day as he has been for a week past. He complains some of rheumatic pains in the back of his head and neck. He takes exercise to-day in the open air, which I think will improve his physical condition.

I remain, most respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 25, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report in reference to the prisoner Davis that yesterday he exercised in the open air, the benefits arising from which are evident, as to-day he is quite cheerful and appears to

* This in reply to Brown of July 21, Series I, Vol. XLIX, Part II, p. 1088.

feel encouraged by the change of treatment. Clay's health is improving very fast. He is much stronger and his nerves are much steadier than when he first entered the fort. Mitchel exercises a great deal in his cell, walking many miles a day, and says he has nothing to complain of.

I am, general, with respect, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 26, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of the prisoner Davis as improving. He exercised yesterday and was allowed to read the New York Times.*

I am, with great respect, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, July 26, 1865.

Hon. J. S. BLACK, *York, Pa.:*

SIR: I am directed by the Secretary of War to acknowledge your note of the 24th instant, and to say in reply that the President declines to grant your request to visit and confer with Clement C. Clay, a prisoner in military custody at Fort Monroe.

When the time and place of Mr. Clay's trial shall be determined the President will afford every proper facility for counsel to aid and assist him in his defense. Any further communication you may desire to make on the subject you will please address to the Attorney-General.

Your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, July 27, 1865.

Maj. Gen. J. HOOKER,
Commanding Department of the East, New York City:

By direction of the Secretary of War the commandant at Fort Warren is authorized to extend to Mr. Stephens any indulgence and freedom from close confinement that may be beneficial to his health, and to allow him to have free enjoyment of books, papers, and society, with exercise in the open air, and furnish him such indulgence in fruits, food, and beverages as may be agreeable to him and beneficial to his health, using proper precautions for his safe detention, or taking his parole to remain in custody and make no effort to escape. He may receive the visits of his family and personal friends under such restrictions as the proper police of the fort may require. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

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*General Miles' daily reports representing Mr. Davis as "well" are omitted.

WASHINGTON, D. C., *July 28, 1865.*

Maj. Gen. JOSEPH HOOKER,
Commanding Department of the East, New York City:

GENERAL: The Secretary of War directs that General W. N. R. Beall, of the late rebel Army, now on parole in New York, be released on the same terms as other rebel general officers, viz: First, that he take the oath of allegiance to the United States; second, that he give his parole to be of good behavior and commit no act of hostility against the United States.

Will you please give the necessary orders for his release on the above conditions. The form of parole used in such cases is herewith inclosed, one copy with copy of oath of allegiance to be forwarded to this office.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

CONFIDENTIAL.] WINNSBOROUGH, S. C., *July 29, 1865.*

Hon. WILLIAM H. SEWARD:

MY DEAR SIR: Being impressed with the liberality of your sentiments, I take the liberty of making an application to you in behalf of Mr. S. R. Mallory, formerly associated with you in the U. S. Senate. Mallory was forced into the secession vortex. I know the fact that at Montgomery he was one of the very few who avowed a willingness to go back into the Union on the basis of a satisfactory compromise. He lost his popularity in Florida at the beginning of secession because he aided to prevent an attack on Fort Pickens. Since the break down of the Richmond Government he was very anxious to go home and be a good and loyal citizen. I am perfectly satisfied he is anxious to go home and act as you would desire—in the interest of peace, harmony, and fraternity. Permit me, therefore, to invoke your kind offices in his behalf.

Whilst writing to you I would add that public affairs are progressing as favorably as could be expected. The appointment of Perry as Governor gives great satisfaction. Up to the act of secession I think Governor Perry was the outspoken friend of the Union, and deserves more credit in this regard than any man of public station in the State. But while I concede all this to Governor Perry, I must file notice of appellant in my own case. I claim to have done more to prepare the public mind for peace (which, of course, meant reunion) by my letter in 1864 to Mr. Davis than any man at the South. In the violent denunciations which this letter brought upon me I stood almost alone, so far as the public men were concerned, in this State. I did not have the satisfaction of hearing a word of approval from even Governor Perry at that time, though it would have been extremely agreeable to me. Governor Perry at that time held an appointment under Mr. Davis (commissioner of impressments), while I was in constant opposition to Mr. Davis, whom I looked upon as but little less than a madman. I was always devotedly attached to the Union, considered slavery a temporary institution, and considered a convulsion in this country as one of the greatest misfortunes that could happen to humanity. In yielding to the secession movement in 1860 I expected to effect a compromise. The basis of my compromise was the abandonment of slavery in the Territories and guarantee against Congressional action in the States. The great mistake I made was that I thought the people out of South

Carolina, both North and South, had more sense than they did. I expected a compromise to take place, and then I was prepared to take the conservative side. If you could have directed public sentiment North I believe all would have ended well without shedding a drop of blood. Mr. John Lee, of Washington (a friend of Mr. Seaton), knows that in December, 1860, I was anxious to have a confidential interview with you to bring about a settlement. I bring up these things now for this purpose: It is probable, as a Member or Senator, I shall be sent to Washington this winter, and in that event I don't want to be excluded from my seat. I favor emancipation in our State constitution. I am utterly opposed to repudiation. I am a supporter of President Johnson's administration.

With sentiments of highest regard, yours, sincerely,

WILLIAM W. BOYCE.

P. S.—I think you made a blunder in not permitting the writ of habeas corpus in Mrs. Surratt's case.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., August 2, 1865.

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army:

GENERAL: I have the honor to report that the following-named prison stations have been vacated and the buildings may now be disposed of as may best promote the interests of the service, viz: Depot at Elmira, N. Y.; depot on Hart's Island, N. Y.; depot at Point Lookout, Md.; Camp Chase, Camp Morton, Camp Douglas, and Rock Island. At Point Lookout the buildings, fencing, &c., were erected at the expense of the prison fund, but at the other prisons they were built in part at the expense of the Quartermaster's Department and in part were paid for from the prison fund. At Fort Delaware there are barracks for a regiment, paid for from the prison fund, and extensive prison barracks, hospital, and fencing, erected partly by the Quartermaster's Department and partly by the prison fund. As the prisoners of war have all been released from Fort Delaware, the regiment of infantry is no longer required to guard them, and all the buildings may be sold or otherwise disposed of as may be most expedient. The depot at Newport News has been vacated and the property turned over to the Quartermaster's Department.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

AUGUSTA, *August 5, 1865.*

Hon. E. M. STANTON:

The wife of Robert Toombs, of Georgia, desires to know whether Mr. Toombs can be paroled if he surrenders to the military authorities.*

Respectfully,

JAS. B. STEEDMAN,
Major-General, Commanding.

* For correspondence relating to Toombs not published in this series, see Series I, Vol. XLIX, Part II.

GENERAL ORDERS, No. 3. } HDQRS. DISTRICT OF WEST VIRGINIA, *Cumberland, Md., August 8, 1865.*

The following order is promulgated for the information of all concerned:

GENERAL ORDERS, No. 6. } HEADQUARTERS MIDDLE MILITARY DEPARTMENT, *Baltimore, August 2, 1865.*

Paroled prisoners of the late rebel armies who have not been pardoned by the President of the United States will, upon arriving within the limits of this department, report their presence and their residence immediately to the nearest provost-marshal and register their names. If non-residents of this department, and not allowed by the terms of their parole to enter the department, the especial authority must be shown and filed under which they are found therein, and that authority to be valid must be from an officer having power in the premises. To allow persons of the latter class to remain within the limits of this department requires the sanction of the department commander or of higher authority; that of another department commander is not sufficient.

The commanding officer of a district may authorize persons still under parole to leave their homes and visit points within the limits of that district, but to visit other districts requires additional permission of the commanding officer of the district to which the person desires to go, or of higher authority.

No person, however, of the class named will be allowed to visit the city of Baltimore without permission from these headquarters, or higher authority. All persons availing themselves of the provisions of the foregoing order will be promptly reported by subordinate provost-marshals to Lieut. Col. John Woolley, provost-marshal-general, Middle Military Department, and any evasion of this order will be promptly noticed.

By command of Major-General Hancock:

ADAM E. KING,
Assistant Adjutant-General.

To carry out the provisions of this order it is directed that all paroled prisoners within the limits of this district will report at once to the nearest provost-marshal and register their names and places of residence, and receive respectively from him a certificate of such registration. The provost-marshals of sub-districts will at the end of each month forward to Maj. H. A. Myers, provost-marshal of the district, at these headquarters, lists showing names and residence of those who have reported and registered under this order.

Applications from paroled prisoners for passes to leave their homes and visit other points within the District of West Virginia will be forwarded to these headquarters for the approval or action of the general commanding.

By order of Brevet Major-General Emory:

TH. MELVIN,
Assistant Adjutant-General.

EXECUTIVE OFFICE, *Washington, D. C., August 10, 1865.*

Chief Justice CHASE, *Providence, R. I.:*

I would be pleased to have a conference with you in reference to the time, place, and manner of trial of Jefferson Davis at your earliest convenience.

ANDREW JOHNSON,
President of the United States.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 11, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report Davis and Mitchel as being well. Clay is somewhat better to-day than yesterday, he having slept

well last night. In a conversation with Mitchel yesterday he said he would leave the country if the Government would allow him. He commences to feel his imprisonment, but says he has nothing of which to complain. His promise to leave the country I think would be a good method of getting rid of the incendiary.

Very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT,
Washington City, August 11, 1865—12.30 p. m.

Major-General STEEDMAN, *Augusta, Ga.:*

Your telegram respecting Robert Toombs has been submitted to the President, who directs that if Mr. Toombs comes within reach of the U. S. forces, he be immediately arrested and sent in close custody to Fort Warren.

EDWIN M. STANTON,
Secretary of War.

KINGSTON, R. I., *August 12, 1865.*

The PRESIDENT:

Your telegram received and will come to Washington Thursday next.

S. P. CHASE.

WAR DEPARTMENT, *Washington City, August 14, 1865.*

Major-General TERRY, *Richmond:*

A week or two ago application was made by Mr. Robert Ould to visit Washington to consult a surgeon. On its being brought to my attention permission was immediately given, which seems not to have been communicated to him. You will inform Mr. Ould that he has permission to visit Washington for the purpose mentioned in his application.

EDWIN M. STANTON,
Secretary of War.

RICHMOND, VA., *August 14, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

Your dispatch is received. The permission was communicated to Mr. Ould three days since. I have inquired, and find that he will leave here for Washington to-morrow morning.

A. H. TERRY,
Major-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 15, 1865.

Brig. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Inclosed I have the honor to transmit letter from the prisoner Davis to P. H. Gillett. Davis desires permission to write to

his wife. Clay appears to be, and says he is, better to-day than he has been for the past three weeks. His health is very changeable, and appears to be governed by his mind. Mitchel is well.

I am, general, with great respect, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

HEADQUARTERS DEPARTMENT OF LOUISIANA,
New Orleans, La., August 15, 1865.

COMMISSARY-GENERAL OF PRISONERS, *Washington, D. C.:*

SIR: I have the honor to forward by Adams Express statements of the number of commissioned officers and enlisted men belonging to the army of the Department of Alabama, Mississippi, and East Louisiana, surrendered by Lieut. Gen. Richard Taylor, C. S. Army, to Maj. Gen. E. R. S. Canby, U. S. Army, at Citronelle, Ala., May 4, 1865, and the army of the Trans-Mississippi Department, surrendered by General E. Kirby Smith, C. S. Army, to Maj. Gen. E. R. S. Canby, U. S. Army, at New Orleans, La., May 26, 1865, who have been paroled. Also the retained paroles of all prisoners of war paroled by order of Maj. Gen. E. R. S. Canby.

I am, sir, very respectfully, your obedient servant,

GEO. L. ANDREWS,
Brigadier-General and Chief of Staff,
Late Provost-Marshal-General, Army and Div. of West Mississippi.

[Inclosure No. 1.]

Statement of the number of commissioned officers and enlisted men paroled, belonging to the army of the Trans-Mississippi Department, surrendered by General E. Kirby Smith, C. S. Army, to Maj. Gen. E. R. S. Canby, U. S. Army, at New Orleans, La., May 26, 1865.

By whom paroled.	Where paroled.	Number of officers.	Number of enlisted men.
Brig. Gen. George L. Andrews	Shreveport, La	583	3,750
Colonel Sheetz	do	389	3,910
Col. H. Bertram	Monroe, La	64	1,325
Lieut. Col. S. W. Anderson	Washington, Franklin, and New Iberia, La.	122	1,958
Col. Charles Black	Brownsville, Tex	15	38
Col. W. H. Dickey	Monroe, La	106	977
Lieut. Col. V. Vifquain	Natchitoches, La	302	3,067
Lieut. Col. William Roy	Alexandria, La	172	737
Total		1,753	15,762

GEO. L. ANDREWS,
Brigadier-General and Chief of Staff,
Late Provost-Marshal-General and Chief U. S. Parole Commissioner.

[Inclosure No. 2.]

Statement of the number of commissioned officers and enlisted men paroled, belonging to the army of the Department of Alabama, Mississippi, and East Louisiana, surrendered by Lieut. Gen. R. Taylor, C. S. Army, to Maj. Gen. E. R. S. Canby, U. S. Army, at Citronelle, Ala., May 4, 1865.

By whom paroled.	Where paroled.	Number of officers.	Number of enlisted men.
Brig. Gen. George L. Andrews	Meridian, Miss	634	5,952
	Mobile, Ala	81	.....
Brig. Gen. E. S. Dennis	Gainesville, Ala., and Columbus, Miss.	1,515	16,403
Col. H. Bertram	Meridian, Miss	864	4,399
Col. Van E. Young	Jackson, Miss	620	5,663
	Grenada, Miss	184	1,782
Col. L. F. Hubbard	Demopolis, Ala	43	590
Col. De W. C. Thomas	Gainesville, Ala	20	138
Col. W. R. Marshall	Selma, Ala	53	360
Col. Charles Black	Montgomery, Ala	38	.....
Capt. J. Lovell	Mobile, Ala	50	517
Capt. George C. Garretson	Selma, Ala	8	72
Captain Hubbard	Jackson, Miss	21	.....
Total		4,131	35,876

GEO. L. ANDREWS,
Brigadier-General and Chief of Staff,
Late Provost-Marshal-General and Chief U. S. Parole Commissioner.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 16, 1865.

Brig. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Inclosed I have the honor to transmit two letters from Mrs. C. C. Clay, one addressed to myself and one to Clay. I desire to know if Mr. Clay can be permitted to read the one addressed to him. I wrote to Mrs. Clay, in answer to the letters she refers to in the one I send, simply that Clay was well, &c.

I am, general, very respectfully, your obedient servant,
NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
August 18, 1865.

Hon. JAMES SPEED, *Attorney-General United States:*

SIR: By direction of the Secretary of War I have the honor to refer to you the inclosed letter, dated August 15, from Jefferson Davis to P. H. Gillett, for such disposition as you deem proper.

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND.

EXECUTIVE OFFICE, *Washington, D. C., August 18, 1865.*

COMMANDING OFFICER FORT WARREN, MASS.:

You are hereby authorized and directed to furnish to Alexander H. Stephens the most comfortable quarters at your disposal. You are

also requested to inform Mr. Stephens that I have received his letter of the 16th and that it will be answered.

ANDREW JOHNSON,
President of the United States.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
August 18, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

SIR: Your letters of the 15th and 16th instant have been submitted to the Secretary of War.

Any letters which Mr. Davis desires to send his wife must relate only to family matters and be first submitted to the Attorney-General's inspection. I return the letters from Mrs. Clay. The Secretary authorizes you to deliver the one addressed to her husband.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., August 18, 1865.

Bvt. Brig. Gen. M. BURKE,
Commanding Fort Lafayette, New York Harbor:

GENERAL: It is desirable to assemble the few prisoners of war and state prisoners who are now in custody at one place, and I request you will inform me if some fifty prisoners—probably there will not be that number—can be conveniently and comfortably provided for at Fort Lafayette.

Very respectfully, your obedient servant,

W. HOFFMAN,
Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

GALENA, ILL., *August 19, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

I have received applications from several paroled prisoners of war for permission to leave the country. I would recommend the publication of an order authorizing any paroled prisoner who chooses to leave the country not to return without authority.

U. S. GRANT,
Lieutenant-General.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, August 19, 1865.

Brig. Gen. WILLIAM HOFFMAN,
Commissary-General of Prisoners, Washington City, D. C.:

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, and in reply I think I can accommodate fifty war or

state prisoners, including the eight I now have, reasonably comfortable. Mr. Mallory, late rebel Secretary of the Navy, according to my orders, I now keep separate from the other prisoners.

I am, very respectfully, your obedient servant,

MARTIN BURKE,
Lieut. Col. and Brt. Brig. Gen., U. S. Army, Commanding Post.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 20, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoner Davis as being unwell. He has a carbuncle on his right leg, and there are indications of his having erysipelas in the face. Yesterday he walked between 6 and 7 o'clock p. m., and appeared to be as well as usual. This morning was the first he complained. I informed him this morning he could write to his wife on family matters only, but that the letter would be submitted to the Attorney-General for inspection. He made the remark that he supposed it would not take them long to decide the law matters which the letter to his wife might contain. Clay and Mitchel are well this morning. I think Mitchel will require exercise in the open air, as, like the other prisoners, he has a delicate constitution.*

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

OFFICE CHIEF MEDICAL OFFICER,
MILITARY DISTRICT OF FORT MONROE,
August 20, 1865.

Brevet Major-General MILES,
Commanding Military District of Fort Monroe, Va.:

GENERAL: I have the honor to report that upon visiting Mr. Davis this a. m. I found him suffering with erysipelas of the face—not threatening in its character, but accompanied with the extreme prostration generally attending that disease. He has also a small carbuncle on his left thigh, and his general condition denotes a low state of the vital forces. He has everything necessary for his physical comfort.

Very respectfully, your obedient servant,

JOHN J. CRAVEN,
Brevet Lieutenant-Colonel, U. S. Volunteers,
Chief Medical Officer, Military District of Fort Monroe.

[AUGUST 20, 1865.—For correspondence relating to Sheridan's proposed arrest of Confederate officers and men charged with violating the terms of surrender between Canby and Smith by leaving the United States and entering Mexico, see Series I, Vol. XLVIII, Part II, pp. 1195, 1196.]

* From August 21 to 28 reports show Davis to be slowly recovering from effects of the carbuncle. Erysipelas was disappearing August 23. On the 29th he took outdoor exercise.

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Richmond, Va., August 21, 1865.

Col. T. S. BOWERS,
Asst. Adjt. Gen., Armies of the United States, Washington, D. C.:

COLONEL: I have the honor to inclose herein, for your information, copy of my letter to Major-General Hitchcock, written in compliance with a request made by him for suggestions in the matter of prisoners' claims for funds taken from them by the rebels, and I also inclose a copy of his letter acknowledging receipt of the same, &c.

I would further inform you that I have completed my examination of the rebel records having reference to these claims, and am now making out a report to be submitted to you embracing names of the prisoners and the amounts in kind due each, as shown by the Confederate prison officials' books and papers in our possession. This report will include all credits to prisoners of war of which there is any official record of having been taken from or turned over with them at Libby Prison. It will also include about $6,000 in U. S. Treasury notes, which had been forwarded from Salisbury and Andersonville in March last with a list of the owners.

The aggregate footings of credits as shown are: $857.05 coin; $44,904.59 U. S. Treasury notes; $4,180.75 State banks; $715 checks and drafts; £139 bills of exchange; and the whole amount of funds recovered from the enemy thus far amounts to $372.70 coin; $28,671 U. S. Treasury notes; $5,909.75 State bank notes on Northern and Southern banks, corporations, &c., much of which is worthless; $715 check and drafts; £139 bills of exchange, and a quantity of Confederate money, neither the amounts nor the credits for which have been observed in my statements.

From the above I have paid (under instructions received with the first funds turned over to me "to pay such claims as were verified by the records, &c.") $32.50 in coin, $2,520 U. S. Treasury notes, $236.75 on State banks, and have returned to proper parties nearly all the bills, drafts, and checks, for all of which I have vouchers in my possession. These amounts are also to be deducted from the aggregate of credits due prisoners noted herein.

It was at first supposed, from such information as we were able to obtain, that the records of the prison quartermaster were destroyed, and only a partial list of the names of those to whom the money belonged, amounting to about $15,000, could be recovered, while the funds amounted to $23,000, and it was under this impression that the funds recovered would exceed the official record of credits that I was directed to pay such claims as I could satisfy myself were just. As soon, however, as I learned of the existence of other records of this property I discontinued the further payment of claims until I could make a full statement and receive instructions in regard to the payment of said claims.

In addition to the foregoing I have in my possession about $4,000, U. S. Treasury notes, belonging to Confederates whom we held as prisoners, many of whom are dead, others having been paroled and sent South before receiving these remittances.

I have also several hundred packages belonging to both Union and rebel prisoners, which we are daily making disposition of under instruc-

tions of parties interested. I shall be able to forward a report on this matter during the present week.

I am, colonel, very respectfully, your obedient servant,

JNO. E. MULFORD,

Brevet Brigadier-General, U. S. Agent for Exchange.

[Inclosure No. 1.]

OFFICE U. S. AGENT FOR EXCHANGE OF PRISONERS,
Richmond, August 2, 1865.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange, Washington, D. C.:

GENERAL: I am now at work on such records as I have been able to gather up in making out the balances due our prisoners for moneys taken from them by the rebels. These amounts will be based upon the figures of the Confederate officials, and will only be incorrect in being too low, as I am already satisfied that in many instances prisoners were not credited with the full amount of their deposits. I shall in a few days be able to furnish to Lieutenant-General Grant a full and careful list of the names and amounts in kind of all who have moneys to their credit here. I estimate it to reach an aggregate of $750 coin, $44,000 U. S. Treasury notes, $3,000 bank bills, and Confederate notes, a large sum (not material).

I have already received of this fund from different sources the following, viz, coin, $372.70; U. S. Treasury notes, $28,671; bank notes, $5,909.75. We are now on the track of about $3,000 more in U. S. Treasury notes, which I hope to secure. We also have official evidence that $15,000 in U. S. currency belonging to Union prisoners was turned over by the prison officials on order of the Confederate Quartermaster-General to his department. There are also, I suppose, moneys to be accounted for by the prison quartermasters at Danville, Salisbury, Charleston, and Andersonville, though I am unable to obtain any information on that subject here.

I shall be able to pay on claims now on record, according to the above estimate, coin about 50 per cent. and U. S. Treasury notes about 60 per cent. There are also many other claims being made of which there is no record, and I have thought proper to offer for the consideration of our authorities the following suggestion, viz, the appropriation of sufficient of the captured property of the enemy to create a fund of $50,000, which would, in my opinion, enable us to pay the full amount of the balances as shown by rebel records, and also pay all claims made by prisoners in whose cases no record is found (these latter to be adjusted and determined by depositions and circumstantial evidence, with such precautions as might be thought necessary to prevent frauds). If it be considered impolitic to make this arrangement I would suggest the propriety of appropriating the necessary amount from the saving fund which has accumulated at the various prison camps, and which might be considered a more appropriate fund for this purpose than any order.

The subject is one upon which there seems to be much feeling, and I am of the opinion that no expenditure of money could be made where so great justice and good can be effected as in this. You will understand these claims are not for moneys sent to prisoners from their friends at the North, but are for moneys taken from them at the time of their capture, and my observation in the cases already brought before me proves the fact that these are, as a general thing, the sober and prudent men, who do not squander their money in camp, and therefore seem entitled to greater consideration than they otherwise

would be. Of the names we find on the record undoubtedly many are dead, and in such cases few, if any, claimants will appear, which will, of course, reduce the amount to be paid.

Of the bills on State banks in my hands, full one-third is of no value whatever, being on broken banks, shinplasters, &c. Of the remaining two-thirds, full one-half is on Southern banks, none of which are worth to exceed 25 cents on the dollar, and much of it entirely worthless. This, however, does not affect the general result, as the prisoners from whom State money was taken are generally specified on the record. I will communicate further with you on this subject in a few days.

I am, general, very respectfully, your obedient servant,

JNO. E. MULFORD,

Brevet Brigadier-General, U. S. Agent for Exchange.

[Inclosure No. 2.]

WASHINGTON CITY, D. C., *August 10, 1865.*

Brig. Gen. J. E. MULFORD, *Richmond, Va.:*

SIR: On the receipt of your communication of the 2d instant I explained your views as presented in that letter to the Secretary of War, who, I am happy to say, expressed decided approbation of them, and indicated his purpose of executing the plan you propose by the exercise of his own power, if found sufficient, but if not, he will ask the aid of Congress.

The Secretary directs that you obtain all the information in your power in order to do that justice contemplated in the plan to those prisoners of war who were robbed and plundered by officials in the South. To this end it will be necessary to prepare a list of such prisoners of war as it shall appear upon evidence lost money or other valuables through the agency of such officials, taking due notice of any amounts of money or property which may appear to have been restored to the rightful owners.

As soon as the claims can be verified measures will be taken to enable the proper claimants or their representatives to obtain the justice contemplated in the plan you propose. You are requested to report on this subject for the information of the Secretary of War at as early a day as practicable.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,

Major-General of Vols., Commissioner for Exchange of Prisoners.

FORT PULASKI, GA., *August 21, 1865.*

Maj. WILLIAM C. MANNING, *Commanding Fort Pulaski:*

MAJOR: The undersigned prisoners of state, confined at this post under orders of the U. S. authorities, give this their parole of honor not to attempt, under any circumstances, to leave the post without permission from said authorities.

It is understood that in consideration of this parole we are to enjoy the liberty of the island—with the exception of the wharves when boats or vessels are there—during daylight, and the liberty of the main works at all hours; that we are not to forward or receive mail or express matter—other than proper mess supplies—without it has previously been submitted to the commanding officer at the post for inspection.

Any infringement of the preceding—or such additional regulations as may from time to time be established—by any one of the subscribers, to forfeit the privileges of all.

This parole to continue in force during our confinement at this post.

A. K. ALLISON.
CHAS. CLARK.
D. L. YULEE.
G. A. TRENHOLM.
A. G. MAGRATH.
JAMES A. SEDDON.
R. M. T. HUNTER.
J. A. CAMPBELL.

GENERAL COURT-MARTIAL ORDERS, No. 452.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, August 22, 1865.*

I. Before a military commission which convened at Cincinnati, Ohio, January 11, 1865, pursuant to Special Orders, No. 278, dated December 29, 1864; No. 4, dated January 5, 1865, and No. 8, dated January 10, 1865, headquarters Northern Department, Cincinnati, Ohio, and of which Col. Charles D. Murray, Eighty-ninth Indiana Volunteers, is president, were arraigned and tried—

G. St. Leger Grenfel and others, citizens.

CHARGE I: Conspiring, in violation of the laws of war, to release the rebel prisoners of war confined by authority of the United States at Camp Douglas, near Chicago, Ill.

Specification.—In this, that they, the said Charles Walsh, Buckner S. Morris, Vincent Marmaduke, R. T. Semmes, Charles Travis Daniel, George E. Cantril, G. St. Leger Grenfel, and Benjamin M. Anderson, did unlawfully and secretly conspire and agree among themselves, and with one Captain Hines, so called, alias Doctor Hunter, of the Confederate Army, and others, in violation of the laws of war, to release the rebel prisoners of war then confined by authority of the United States at Camp Douglas, near Chicago, Ill., numbering between 8,000 and 9,000 persons, by suddenly attacking said camp on or about the evening of the 8th of November, anno Domini 1864, with a large number of armed men, overpowering the guard and forces then and there stationed and on duty, seizing the cannon and arms in the possession of said guard and forces for the purpose of guarding and defending said camp, forcibly opening the gates of said prison camp and removing all obstructions to the successful escape of said prisoners confined within its limits. This, at or near Chicago, in the State of Illinois, within the military lines and the theater of military operations of the Army of the United States, at a period of war and armed rebellion against the authority of the United States, and on or about the 1st day of November, anno Domini, 1864.

CHARGE II: Conspiring, in violation of the laws of war, to lay waste and destroy the city of Chicago, Ill.

Specification.—In this, that they, the said Charles Walsh, Buckner S. Morris, Vincent Marmaduke, R. T. Semmes, Charles Travis Daniel, George E. Cantril, G. St. Leger Grenfel, and Benjamin M. Anderson, did unlawfully and secretly conspire and agree among themselves, and with one Captain Hines, so called, alias Doctor Hunter, of the Confederate Army, and others, in violation of the laws of war, to lay waste and destroy, on or about the evening of the 8th of November, anno Domini 1864, the city of Chicago, Ill., by capturing the arsenal in said city, cutting the telegraph wires, burning the railroad depots, taking forcible possession of the banks and public buildings, and leaving the city to be sacked, pillaged, and burned by the rebel prisoners of war confined at Camp Douglas, near Chicago, Ill., which prisoners were to be forcibly released by them on or about the date above mentioned. This, at or near Chicago, in the State of Illinois, within the military lines and the theater of military operations of the Army of the United States, at a period of war and armed rebellion against the authority of the United States, and on or about the 1st day of November, anno Domini 1864.

To which charges and specifications the accused, G. St. Leger Grenfel, citizen, pleaded not guilty.

FINDING.

The commission, having maturely considered the evidence adduced, finds the accused, G. St. Leger Grenfel, citizen, as follows:

Charge I.

Of the specification, guilty.
Of the charge, guilty.

Charge II.

Of the specification, guilty.
Of the charge, guilty.

SENTENCE.

And the commission does, therefore, sentence him, G. St. Leger Grenfel, citizen, to be hung by the neck until he is dead, at such time and place as the commanding general may direct, two-thirds of the members concurring therein.

II. The proceedings of the commission in the above case were forwarded by the reviewing officer, Maj. Gen. Joseph Hooker, for the action of the President of the United States. The following are his orders:

EXECUTIVE MANSION, *July 22, 1865.*

The proceedings and findings in the case of G. St. Leger Grenfel are hereby approved, but, in consideration of the recommendation of members of the court, and of the successful progress of the Government in suppressing the rebellion, and in accordance with the suggestion of the Judge-Advocate-General, the sentence is hereby commuted to imprisonment for life, at hard labor, at the Dry Tortugas, or such other place as the Secretary of War may designate.

ANDREW JOHNSON,
President.

III. Maj. Gen. E. O. C. Ord, U. S. Volunteers, commanding Department of the Ohio, is ordered to send the prisoner G. St. Leger Grenfel, under charge of a commissioned officer, with a sufficient guard, to the Dry Tortugas, Fla., designated as the place of imprisonment, where he will be delivered to the commanding officer of the post, who is hereby ordered to confine said Grenfel at hard labor during the period designated in his sentence as commuted.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 23, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding District, &c., Fort Monroe, Va.:

SIR: The Secretary of War desires to know, in the event that the President should assent to the departure of Mitchel from the country, as proposed in your communication of the 11th instant, from what point he would desire to embark and where he would go.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

NASHVILLE, *August 23, 1865.*

Maj. Gen. G. H. THOMAS, *Nashville:*

GENERAL: In obedience to your instructions I have the honor to make the following statement:

An order from the War Department of the United States releasing me from confinement as a prisoner of war directed that I should be paroled in accordance with the terms agreed upon between Major-General Sherman and General Johnston. I have not carried about my person or baggage any weapons since May 1, 1865.

About 4 o'clock p. m. on the 21st instant, while I was lying on my bed in my room at the City Hotel, no other person being in the room, some one knocked at my door. After partially dressing myself I unlocked my door, when two officers, partially dressed in U. S. uniform, entered, one of whom stated that he at one time had been a prisoner in my hands, and that he had come to thank me for kindness received at the time. The other said he knew me and had called to make his personal respects. After a few moments of polite conversation they arose and bade me good-by, remarking that as they discovered I was unwell they would not remain any longer. About five minutes after their departure I heard another knock at my door, which I again unbolted as soon as possible, when two other officers dressed in U. S. uniform, neither of whom I had ever seen before, entered. One of them advanced and extended his hand, which I took. While in the act of shaking hands, he remarked, "Is this General Wheeler?" And upon my answering in the affirmative he stated that he was Colonel Blackburn. The other officer immediately seized me by both arms, when Colonel Blackburn, having given no previous intimation whatever of his hostile purpose, struck me violently twice upon my head with a club of considerable dimensions. I struggled away from the man who held me, and as I left the room both the assailants followed me, the other officer holding a pistol in a threatening manner. I am confident I only prevented him from shooting me by keeping Colonel Blackburn between him and myself. Colonel Blackburn continued his attempts to strike me, but I succeeded in warding off his blows with my arms. Finally a gentleman caught hold of the other officer, when Colonel Blackburn hastily ran back and ran down the stairs.

I am satisfied that the attempt was one upon my life, and that the pistol would have been fired at me but from the fact of Colonel Blackburn being between myself and the officer holding it.

I would here state that I never issued any order whatever to the prejudice of Colonel Blackburn or any of his men, and that all his men who fell into my hands were kindly treated and allowed to return to their commands in bodies, in order that they might not be molested by any one. I would further state that while passing through the country I do not recollect that any complaint was made by any of Colonel Blackburn's family, or that anything whatever was taken from them.

I am, general, very respectfully, your obedient servant,

J. WHEELER,
Late C. S. Army.

The foregoing is addressed to you in the form of an official communication, but now desire to swear the facts are true as set forth.

J. WHEELER,
Late C. S. Army.

[Indorsement.]

Respectfully referred to Brigadier-General Mason, commanding post of Nashville, who is authorized to furnish copies of this statement of General Wheeler, together with the letter of this date reprimanding Colonel Blackburn and Captain Quinn, to the newspapers of Nashville for publication.*

Respectfully,

ROBT. H. RAMSEY.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., August 24, 1865.

Bvt. Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: In pursuance of your instructions of the 18th instant I proceeded to Fort Delaware to examine into affairs there in regard to prisoners of war and have the honor to submit the following report:

All the prisoners of war have been released except two who were captured with Jeff. Davis and are held awaiting his trial.

The barracks heretofore occupied by prisoners and the troops guarding them and the prison hospital have been vacated and turned over to the Quartermaster's Department. All of these buildings are of a very temporary character and are of little value except as old lumber. If they were sold as they are the purchaser would have to send laborers to take them down, haul them to the dock, and transport them from the island, the expense of which would be nearly as great as the value of the lumber, and but a small sum could be realized from the sale. I would therefore recommend that all these buildings, except the hospital and surgeons' quarters, be taken down by the convicts under sentence at the fort, the best of the lumber to be selected for sale and the refuse to be used for fuel or such other purpose as may be most to the interest of the service. The hospital is the best of these buildings, is most out of the way, and for the present might be permitted to remain as it is, in the possibility that it may be required for some other purpose.

The surgeons' quarters, which are near the hospital, are sufficiently extensive to make a very good post hospital and I recommend that the building be so occupied. There are now some sixty convicts at Fort Delaware, and about 300 can be accommodated inside the fort in rooms appropriated to them, leaving quarters for five companies. The prison barracks are too extensive to be used for the confinement of convicts, and if they are to be used for this purpose considerable alterations and repairs would have to be made. For such an estab lishment the prison hospital would be most convenient, giving ample room, and being most remote from the fort.

The vacated barracks are infested with rats, which are driven by hunger to every house on the island. All the corn growing in the gardens has been destroyed by them, and it is desirable that the barracks should be removed as soon as practicable that the island may be relieved from this pest.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

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* See August 26, p. 728.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 26, 1865.

[General E. D. TOWNSEND:]

GENERAL: In answer to your communication of the 23d ultimo, Mr. Mitchel says if he was permitted to leave the country he would go to France. It is immaterial to him from what port he embarks. He would agree never to return unless allowed by the Secretary of State. His family are in Richmond and he has some unsettled business in New York. He would desire ten days' time to collect such portions of his family as would desire to accompany him and to attend to business of a private character. During which time he would engage in no public affairs or communicate with any newspaper unless it be to deny a misstatement in regard to himself.

I have the honor to remain, with the highest respect,

NELSON A. MILES,
Brevet Major-General, U. S. Volunteers.

HDQRS. MILITARY DIVISION OF THE TENNESSEE,
Nashville, Tenn., August 26, 1865.

Bvt. Brig. Gen. E. C. MASON, *Commanding Post of Nashville:*

GENERAL: I have the honor to acknowledge the receipt of your report of the investigation ordered by the major-general commanding into the causes for the assault upon Mr. Joseph Wheeler, late major-general in the Army of the so-called Confederate States at the City Hotel in this city. Your report has been carefully and impartially considered by the major-general commanding, and the facts therein elicited and brought out, with other facts in the same connection, which have been brought to his notice, show the attack upon Mr. Wheeler by Lieutenant-Colonel Blackburn and Captain Quinn, Fourth Tennessee Cavalry, to have been wholly unprovoked and unjustifiable and unbecoming an officer in the service of the United States. Mr. Wheeler, as a paroled prisoner, is justly entitled to protection, instead of being exposed to assault, and his position, by virtue of his parole, an unarmed man and hence without means of defense, should have been and must in future be respected, and not only in his case but in the cases of all other persons occupying a similar position.

You will convey to Lieutenant-Colonel Blackburn and to Captain Quinn, of the Fourth Tennessee Cavalry, the notification of the displeasure and reprimand of Major-General Thomas for their unofficer-like and highly reprehensible conduct, and say to them that the muster out of the service of their regiment has been the only reason for their not being subjected to arrest and trial by court-martial. Their conduct at the time of the assault, as well as subsequently, has been an insult and a disgrace for the uniform they wore and is justly discountenanced and frowned down upon by every honorable and high-minded officer and enlisted man in the service.

The major-general commanding directs that you will further require of Lieutenant-Colonel Blackburn and Captain Quinn positive and satisfactory assurances for their future good conduct and the strict compliance with all orders and regulations for the preservation and maintenance of the public peace, and at the same time advising them

that they will be held to a strict accountability for any future breach of the same.

I am, very respectfully, your obedient servant,

ROBT. H. RAMSEY,
Colonel and Assistant Adjutant-General.

FORT LAFAYETTE, *New York Harbor, August 28, 1865.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.:

SIR: I have received yours of the 25th instant and much regret making the communication referred to without naming the individual. The person referred to is Stephen R. Mallory, late Secretary of the Navy of the so-called Confederate States, who, if it should please the Government, I would like paroled. He has written to me a letter describing the probable location of the pirate Shenandoah in the Pacific seas, which I transmitted to the War Department, and if paroled I think it is his policy, as well as his interest, and I believe his disposition, to eradicate as far as possible from his mind all recollections of his unfortunate connection with the rebel Richmond Government. If paroled I would recommend that the parole be comprehensive, plain, and not too laconic. Perhaps something like the inclosed might not be very much out of the way.

Very respectfully, your obedient servant,

MARTIN BURKE,
Brevet Brigadier-General, U. S. Army, Commanding.

[Inclosure.]

I, Stephen R. Mallory, do hereby give my parole of honor that I will to the best of my ability conform to all laws enacted by the Government; that I will not in private interviews or public communications vindicate any acts or measures of the so-called late Confederate Government, and that I will in no instance assert or asseverate the right of any State to secede from the Union, or countenance the right of nullification.

DEPARTMENT OF NORTH CAROLINA,
MEDICAL DIRECTOR'S OFFICE,
Raleigh, N. C., August 28, 1865.

Bvt. Maj. Gen. J. K. BARNES,
Surgeon-General U. S. Army, Washington, D. C.:

GENERAL: I have the honor to report that after the most diligent search we are compelled to return to the War Department and other sources from whence they come many of the papers inquiring for lost soldiers without being able to give any satisfactory information concerning them. These inquiries refer mostly to prisoners that were supposed to be confined at Andersonville, Ga., Florence, S. C., Salisbury, N. C., many of whom were exchanged and received at Wilmington, N. C., in March last. A large number intended for exchange died and were buried en route to the point of exchange. A still larger number died after the exchange rolls had been made out and before the prisoners were removed from camp or hospital, and of whom no record has been made either by the medical officers in charge of camps

or hospitals or otherwise military authorities. The above information I had from Confederate officers whom I met at Northeast River, point of exchange, in March last, at the time we received the returned prisoners. We were seven days receiving between 8,000 and 9,000. Some were brought in dead; many others so enfeebled in body and mind as to be unable to give any account of themselves, and about whom it was impossible to learn, in many instances, even the name of the individual. Some who could give their names were unable to give correctly their company or regiment. None of those really sick had any records to aid us in our efforts to obtain a clue to their command. There are now in Wilmington Cemetery 106 graves marked unknown. At Northeast River twenty-one were buried who were taken from the cars dead, and about whom I could obtain no record. It is more than probable that many of those inquired for lie in graves marked unknown, and are buried along the route from Salisbury to Wilmington. I am using all efforts to collect back reports and records that have any bearing upon this matter.

I have the honor to be, very respectfully, your obedient servant,

N. S. BARNES,

Surgeon, U. S. Vols., Brt. Lieut. Col., Acting Medical Director.

U. S. MILITARY PRISON,

Accomac Court-House, Va., August 30, 1865.

Maj. N. CHURCH, *Acting Assistant Adjutant-General:*

SIR: I know not what charges have been preferred against me, causing my arrest, but, as I was paroled under Generals Sherman's and Johnston's terms of agreement, came home, took the required oath of allegiance to the United States, and am confident that no conduct of mine since has rendered me liable to any charges, I must conclude that my connection with the prison at Andersonville, Ga., is the reason of my arrest. When I came to Virginia and found so much prejudice against the officers who had been stationed at Andersonville, Ga., I determined to quit the country, but domestic troubles of the severest nature caused me at once to hurry home and see after two little helpless and penniless children. After arriving here I determined to make my home in this country, and have been making arrangements with a friend of mine to go into business with me in Baltimore. I merely mention these facts to let you know that it is my fixed purpose to make my home in this country and become, of course, a law-abiding and loyal citizen. If there are charges against me of maltreatment of prisoners, I scorn the imputation and am desirous of meeting them and will meet them fearlessly and with a clear conscience. But, owing to extreme domestic troubles which require my whole attention at this time, I most respectfully ask that either an investigation of the matter be given me at once or that I be paroled, giving my word of honor (or, if you should prefer it, security) for my appearance at any time I may be called for, or that I be allowed to remain in custody on the Eastern Shore with sufficient privileges to enable me to attend to my business.

In regard to my connection with the Andersonville Prison, the first I was ever connected with, I will succinctly state: In the latter part of December, 1863, I was ordered to Andersonville, Ga., to build a prison stockade (that point having been decided upon as a suitable site) capable of holding 6,000 prisoners. At my suggestion the order was changed to increase it to a size sufficient to hold 10,000. My reasons for

this suggestion were that the banks of the stream which was to supply the water were steep, and this would give me land more level and more available for the purpose at a very little more expense to the Government. When I was sent to Georgia I was told that I could get any amount of labor and teams to do this work. Upon my arrival, however, I found the people much opposed to the erection of a prison there, and consequently had then to get authority from Richmond to impress the necessary labor and teams. This caused me much delay, so that I did not get to work until some time in January, and then with a limited force. At all events, before the stockade was half completed the commanding officer, Capt. W. S. Winder, was telegraphed from Richmond that it was impossible to feed the prisoners longer there, and that they must come at once to Andersonville on account of provisions. As well as my memory serves me in regard to date, about the middle of February the prisoners began to arrive. After the first five or six lots had arrived Captain Winder was ordered to Richmond, and Lieut. Col. A. W. Persons, of the Fifty-fifth Georgia Regiment, was assigned to command of the post, and he continued in command until some time in June or July, 1864, when General Winder himself took command. I issued rations to the prisoners for the first five or six weeks that they were there. At that time there were only a small number of them, and I know that there was no complaint, and they seemed surprised at the quantity they received, but at that time sweet potatoes could be gotten, and I gave them as a ration one pound of meal, one pound of potatoes, and one pound of beef or half pound of bacon. There was only a small quantity of flour, and that was issued only to the sick. In February, 1864, as you can easily inform yourself, the C. S. Congress passed a law relieving the Quartermaster's Department of feeding the prisoners of war and placed it in the hands of the Commissary Department. Soon after this a commissary officer was sent to Andersonville, and after his arrival, owing to a misunderstanding about the orders, I for a time receipted to him for the prisoners' rations, which the commandant of the prison ought to have done, and which he, as I suppose, did do as soon as the orders were properly understood. After this I had nothing on earth to do with the prisoners' rations, except to furnish transportation for them from the commissary store-house to the cook-house and from thence to the prison. At this time Capt. H. Wirz was in command of the prison, and I furnished him, upon his requisition, anything and everything which he needed for the prisoners which I could procure, except provisions.

In May, 1864, in addition to my duties as quartermaster at Andersonville, I was assigned to duty in the same capacity at the officers' prison at Macon, and was doing duty there at the time when Generals Seymour, Stoneman, and other officers were confined there. This prison was under the command of Colonel Gibbs. I kept Mr. William Hipkins, a clerk of mine, at this prison, and Mr. Butler at Andersonville, and though I had permission from the Quartermaster-General to make my headquarters at Macon (certainly a much more desirable locality than Andersonville), yet there was so much more to do at Andersonville that I spent nearly all my time there. The only complaint that can be justly brought against me was the deficiency of barracks and hospital accommodations at both places, and in this respect the Andersonville prisoners suffered much the most. In the first place, there were, from the start, some commodious buildings already in the Macon prison, while there were none at Andersonville; and in the second place, there were many more prisoners at the one than the other. I can only say

in this matter that I did all in my power to remedy the evil, but the number of prisoners at Andersonville was so rapidly increased it was simply impossible. In the first place, I could get no lumber scarcely at all, and after the power to impress mills was given me from Richmond the railroads insisted that railroad transportation would give entirely out if I was allowed to impress the mills. I was then instructed to impress only those mills which the railroads did not require. The result of this was that almost all the mills made contracts with the railroad for small quantities, did what they pleased with the balance, and I had to go without. In addition to this, I was instructed to pay Georgia schedule prices, which were $50 per 1,000 feet, while the navy works at Albany and the hospital departments were paying $75 or $80 per 1,000. You can readily under these circumstances perceive my difficulties. I earnestly advised the use of tents, and gave as my reasons for it that they would be more healthy, less subject to danger from fire, and in case of a general exchange of prisoners, which we were all the time expecting, would be a great saving in expense to the Confederate States Government; but I was informed by the Quartermaster-General that they could not be supplied for the simple reason they did not have them. There were some tents in Savannah, Ga., belonging to the State, which I tried in every way in the world to get, but could not succeed, as they said they needed them for their own troops. In addition to this orders now came for enlarging the stockade, so that it would hold 30,000 men. This of course stopped everything for several weeks, and by the time that this was completed, or very soon thereafter, the number of prisoners amounted to some 34,000. In the meantime I was without funds, and although timely requisitions had been forwarded to Richmond, not one cent did I receive from them for the last four months that I was at Andersonville, and the few mills that were cutting for me refused to saw any longer.

In regard to local transportation, I was instructed by the Quartermaster-General to hire what I could and then draw the balance from Norman W. Smith, at Augusta, Ga., who was chief of transportation for the western army. He, unlike most quartermasters with whom I had to deal, did the best he could for me, but he really could not keep up the supply in the army, and his instructions were that the army must be supplied first; consequently the only stock that I ever got from him was mules, already broken down in service, and after I got them, before they could be used at all (in fact, I don't think they ever were used during my stay at Andersonville) they had to be gotten into a serviceable condition. The lack of local transportation was a most serious drawback upon me.

In regard to complaints, if there be any, against the manner of burying the dead, I can only say that I did the best I could. Each body was numbered on the hospital register of deaths (which book was, of course, kept by the chief surgeon) and the same number was pinned to his clothing. They were then interred as their numbers called for, running from number one upward, and each body's number was branded deeply on his head board. If the hospital register is in being, the body of any soldier who died there can be easily found. It was impossible to furnish coffins. Materials were too scarce, and I considered it much more important to alleviate the suffering of the living than to use these materials with the dead. In fact, I used no materials for any purpose that could be done without, and positively refused to put up either officers' or soldiers' barracks until a sufficient hospital arrangement should be completed both for the prisoners and our own sick. For this

I was much abused and complained of, but I held to my text and never did put up but one house, and that was under peremptory orders, and even that was not quite completed when I was ordered away in September.

As regards the necessary cooking and baking arrangements, I confess that at one time the prisoners suffered greatly in the want of cooking apparatus, but this was owing entirely to having provided for 10,000 men and having twice that number forced upon me. I did, however, all in my power to assist them in the matter, and when I left Andersonville the cooking arrangements were ample and sufficient. As to the water for the use of prisoners at Andersonville, the stream that flowed through the prison was originally as pure and limpid as possible and was injured by an error of my own judgment. In constructing the first baking and cooking houses, knowing that they would require much water in the use of them, I placed them directly on the stream flowing directly into the prison (they could not be placed on the other side, as the water would then have flowed through the sinks), not dreaming that there would be sufficient offal to infuse the water, but such was the case, and the only remedy then left was to allow the prisoners as many wells on the inside of the prison as were needed, and this was done by Captain Wirz. This, together with the complaint that the prisoners were robbed at the cook-houses of a portion of their rations (a state of things I should never have supposed possible, as, according to my recollection, there were only four of our detailed men at both the cooking and baking houses, and the balance of the force, some 100 and odd men, were paroled prisoners), caused me to suggest that in the building of the prison near Millen, Ga., that the baking and cooking houses be put up on the inside of the prison, and instead of having them in one extensive building, let there be more of them—a baking and cooking arrangement to every 1,000 men—which suggestion was adopted.

In regard to the prisoners themselves, I never, under any circumstances, had any command over them whatever, excepting those who were paroled on the outside of the prison, receiving double rations, and were assisting me in my department to build barracks, hospitals, commissary store-houses, doing duty as teamsters, &c., and I never even supplied these men with their rations. I not only never maltreated one of these men, but never punished one of them except to return them to the inside of the prison, and I do not now recollect even to have done that except in cases where they had broken their paroles. I was never on the inside of the prison at Andersonville more than half a dozen times in my life, and was never once inside the prison at Macon. I had more of my own duty to do than I could really well attend to, and never meddled with, inquired after, or interfered with any other department. Some time in September, 1864, I was assigned to duty as chief quartermaster of prisons in Georgia and my headquarters ordered at Camp Lawton, the prison near Millen, but I remained at Andersonville until the 1st of October, when I assigned Capt. James H. Wright, assistant quartermaster, to duty at Andersonville. Capt. L. L. Varnadoe, assistant quartermaster, had already been assigned by the Quartermaster-General to duty at the Millen Prison. When I left Andersonville six of the prisoners that had been paroled and under me, and to whom I had become much attached, made petition to be allowed to go with me, which petition was granted them. Four of these I took and kept with me at my own private quarters, about three miles from the prison, and allowed them all sorts of privileges. The other two

went on duty with Captain Varnadoe. The four who were with me at my quarters drew their rations with mine, one of them always superintending the receiving of them. After this several teamsters and others made similar petitions, and one or two *nolens volens* ran off from Andersonville, caught up with the wagon train, and came on to Millen. These men were never punished for this, and were put on duty with Captain Varnadoe, and I take occasion here to remark that for any act of kindness that I ever showed a prisoner while I was connected with the prison department, upon my honor I was never paid or received anything whatever, and not one can be found who can say such a thing about me, except in some little act of kindness to me afterward—one of them, for instance, at his own request, covered a saddle beautifully for me, another made me some shoes and boots. These are the only returns that I now recollect ever to have received from them, and for these acts of kindness to me, knowing their necessities, I paid them afterward.

When General Sherman made his march through Georgia, the prisoners were necessarily squandered in every direction. At that time I was ordered to take charge of the prison wagon train and save it from the enemy. I had with me, to the best of my recollection, some twenty odd prisoners as teamsters, ambulance drivers, &c., and only five of our own men, including two wagon-masters, and no arms, except private arms. We were within a few miles of the fighting, and so close that I lost much baggage that was stored in a house close by. Two of these prisoners that morning (not knowing the proximity of the enemy) I had given permission to go fishing, and we had to decamp so suddenly that I could not wait for them—in fact, supposed they had gone to their own men—and was very uneasy lest they should give information of the whereabouts of my train, and made on that account a very long march; yet soon after we encamped at night on the banks of the Savannah River these two men came up, each one toting a bag of sweet potatoes. Not one of these prisoners deserted me. They all said, as I was told, that I had treated them so well and so kindly that they felt in honor bound to respect their paroles. The next morning we commenced crossing the Savannah River and encamped in Barnwell District, S. C. We remained in camp for some time, when I received an order to send a portion of the wagon train to Columbia, S. C., a portion of it to Augusta, Ga., and to hold the balance subject to orders. A portion of the prisoners remained with me; the balance went to Columbia. I remained there in camp some six weeks; sent to Augusta; got some powder and shot, and, as game was very plentiful, frequently allowed several of these prisoners my double-barreled shotgun and a small rifle to go off on horseback and amuse themselves in their own way. I was then ordered to Columbia, S. C., and immediately assigned to duty as chief quartermaster of all prisons east of the Mississippi River. This was some time in January, 1865. Soon after this a general exchange of prisoners took place. Columbia was evacuated and I was ordered to Salisbury, N. C. I had been there but a short time when I was relieved of duty with the prison department and ordered to report in Richmond, and was there awaiting orders to Texas. At this time, however, General Daniel Ruggles was assigned to duty as Commissary-General of Prisoners, and at his earnest solicitation I was temporarily assigned to duty with him as his chief quartermaster, in order to furnish him with such information as he might need in regard to my department. General Ruggles and myself left Richmond the night of the evacuation. As soon as we got to Danville he ordered me to Augusta,

Ga., at which place I was paroled, and thus ended my connection with the prison department.

I beg leave to add that I have the receipt of the assistant agent of exchange, Captain Hatch, for all moneys in my hands belonging to prisoners of war; Captain Wirz's receipt for their watches which were in my possession (General Winder after his arrival at Andersonville ordered all prisoners' watches returned, and, if my memory serves me rightly, no sum of money under $100 was taken from them). I have also Lieutenant Davis' receipt for all prisoners' clothing, &c., sent to Andersonville and issued by Lieutenant Davis during Captain Wirz's extreme illness there. The boxes sent to prisoners I never had anything to do with. They were always turned over to commandants of prisons.

I have, sir, to apologize for the length of this communication, but I could not well say less in my defense and do myself justice. I have no friend that I know of who has any influence with the Government, and must rely upon the merit of my own case. To the truth of these statements I pledge my honor as a man, which is all that is left me, and would offer you the most satisfactory and indisputable evidence. I would offer you also any reference as to my character and standing as a man. Hoping that my country is unwilling to inflict any act of injustice upon me, and believing you incapable of such a thing, I place myself in your hands, earnestly entreating, however, that if any other charges which I have not met in this communication have been brought against me, I be informed of them, and I will promise you a straightforward, manly reply. It is extremely humiliating to be held in prison in manacles, but much more so to be held up to your countrymen as a demon, accused of charges of which you are not guilty. Pardon the liberty I have taken in thus addressing you.

Very respectfully, your obedient servant,

R. B. WINDER.

N. B.—Since writing the above communication a hurried testimonial* as to my character and standing as a man has been handed me, which I have the honor to inclose. It contains the name of nearly every citizen of the town near which I have for the last ten years, before the war, resided, and also all my near neighbors.

R. B. W.

[First indorsement.]

ADJUTANT-GENERAL'S OFFICE, *September 2, 1865.*

Respectfully referred to the Judge-Advocate-General.

R. WILLIAMS,
Assistant Adjutant-General.

[Second indorsement.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
September 6, 1865.

Respectfully referred to Col. N. P. Chipman, judge-advocate, military commission, for his consideration, in connection with such testimony as may be evolved upon the trial of Wirz, in regard to the within-named Richard B. Winder.

J. HOLT,
Judge-Advocate-General.

* See sub-inclosure No. 2 to letter of William Linn Brown to Stanton, November 14, 1865, p. 798.

[Third indorsement.]

MILITARY COMMISSION, *October 25, 1865.*

Respectfully returned. The findings in the Wirz trial inculpate R. B. Winder. I think he ought to be tried for complicity, though there is no evidence of his being a cruel or brutal man.

N. P. CHIPMAN,
Colonel, &c., Judge-Advocate.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 30, 1865.

[General E. D. TOWNSEND:]

GENERAL: I have the honor to report prisoner Davis quite comfortable to-day. He takes exercise now every day in the open air. Clay and Mitchel are well. Captain Hitchcock, provost-marshal, left Chesconessex this morning with prisoner R. B. Winder for Washington.

Most respectfully,

NELSON A. MILES,
Brevet Major-General.

ADJUTANT-GENERAL'S OFFICE, *August 30, 1865.*

Major-General HOOKER,
Commanding Department of the East, New York City:

By direction of the President you will cause the following order to be immediately executed, and such steps to be taken as to prevent its purport being made public. On showing this to Amos Pilsbury, warden of the penitentiary at Albany, it will be the President's warrant to him to deliver the prisoner Samuel B. Davis, alias Willoughby Cummings, to the custody of the officer who shall be designated by you to receive him and convey him to Fort Warren:

EXECUTIVE OFFICE, *August 30, 1865.*

It is ordered that Samuel B. Davis, alias Willoughby Cummings, a prisoner whose death sentence by a general court-martial has been commuted into confinement during the war, and who is now confined in the Albany penitentiary, be conveyed to Fort Warren and there imprisoned until the term of his sentence expires or further order. The Secretary of War will issue the necessary orders in the case.*

ANDREW JOHNSON,
President.

Report receipt and execution of the above order.

By command of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

DETROIT, *September 1, 1865.*

President JOHNSON:

DEAR SIR: Inclosed I send you a letter from Hon. S. R. Mallory which speaks for itself; likewise a copy of my answer to him, the response to which removed the "private" from this letter so far as you are concerned, but was itself marked "private." As you know this case better than I can, it is not necessary for me to express an opinion.

Very respectfully, your obedient servant,

Z. CHANDLER.

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*This order was announced in General Court-Martial Orders, No. 495, War Department, Adjutant-General's Office, August 31, 1865.

[Inclosure No. 1.]

PRIVATE.] FORT LAFAYETTE, *July 2, 1865.*

Hon. Z. CHANDLER:

DEAR SIR: My application to the President for pardon was forwarded hence on the 21st ultimo, and in appealing to your kind interposition in its behalf, as well upon the ground of old associations as upon others, it is proper that I state to you the points upon which it is based, which I will do as frankly as briefly. I know that you are familiar with all the leading political issues of the former "South," and with the divisions and phases of opinion and sentiment upon that of secession. Throughout my own humble career, whether as a private or public man, up to the secession of my own State, I was ever devoted to the Union, and my ten years' service in the Senate are unmarked by a word or sentiment inconsistent with this declaration. I was never in the Legislature or any of the conventions of my State, and I never counseled her to secede, for I always believed she was stronger in the Union than she could be out of it. But when she seceded and instructed me to withdraw from the Senate I obeyed. She had honored me far beyond my merits with many distinguished marks of her confidence and favor, and I followed where she led. State sovereignty with its consequent rights of secession was no new doctrine, suddenly sprung for a purpose, but through a long line of great minds, from Jefferson to Calhoun, it had become the universal faith of the South. In this faith, politically, was I reared, but, though I regarded secession as a right resulting, like many others, from State sovereignty, my conservatism taught me that as a remedy it was but another name for revolution, to be justified only by those great and otherwise irreparable wrongs which admittedly justify revolution. I never believed there would be bloodshed, and I hoped and expected compromise, conciliation, and peace even after the secession of South Carolina. When I learned at Washington the design of attacking Fort Pickens, at Pensacola, I dreaded the consequences, and telegraphed the leader in the most urgent terms against the design, and thus prevented it, a proceeding for which superserviceable patriots have bitterly denounced me. The firing upon the flag soon after at Charleston rendered peace hopeless. Throughout my official connection with the Confederate Government as Secretary of the Navy, which post was accepted only upon the repeated requests of President Davis, and the resignation of which I subsequently tendered, I am conscious of no act unwarranted by the condition of the two Governments and the laws of war to which they both deferred. Upon the fall of Richmond I resigned my office, repaired to my home, and there awaited the action of the Government, determined to abide the consequences of my course, whatever they might be. I was arrested there some two months ago and sent here. A great majority of the States and a vast majority of the people have decided, as well by the cartridge-box as by the ballot box, against secession and slavery. Ballots and bullets, overwhelming numbers and resources, were all against us, and we are a conquered people. I frankly and fully recognize and accept the continued union of all these States and the abolition of slavery as the new status of the South, and the logic of patriotism, no less than that of common sense, calls upon her people to conform themselves, their laws, and institutions to this status. To this work I am anxious to contribute all the aid in my power, for with the South must I live, and with Heaven's sanction die.

I desire in good faith to take the oath of allegiance, to assume and perform all the obligations and duties of a citizen of the United States, and as rapidly as possible quiet agitation, restore order, and give my heart and voice and hand, for whatever they are worth, and so far as a private citizen may, to help a brave, impoverished, and suffering people. In the treatment of Southern men the Government must, I apprehend, look rather to what may be expected from them in the future than to what they have been in the past, and I am willing to be viewed from either stand-point. There will be little difficulty in getting the State governments into healthy working order if common sense is allowed to prevail in the incipient measures. The negroes' present and future I do not regard as questions of much difficulty, and there is a great deal bearing upon them in the recent published letter of a Northern authority who has ever been regarded as ultra upon the subject. I know many negroes whom I would trust with the ballot, and the number will steadily increase, and they must, at no distant day, become voters, under certain qualifications, as they have in the British West Indies, and in some of the Northern States where slavery once existed.

I have written to you frankly, my dear sir, and I would be very glad if I could interchange views with you. With these views I cannot see that I am doing the country quite as much service here as I might be rendering elsewhere. If you can consistently with your views aid me you will have my grateful recollections for your kindness. Be pleased to present me to Mrs. Chandler.

Very respectfully, yours,

S. R. MALLORY.

[Inclosure No. 2.]

DETROIT, *July 29, 1865.*

Hon. S. R. MALLORY:

DEAR SIR: Yours of the 21st ultimo [2d instant] is at hand and its contents carefully noted. I am of the opinion that "private" should be erased and I be permitted to inclose it to President Johnson. If the South would honestly and sincerely adopt the sentiments contained in your letter of the 21st [2d instant], reconstruction would be easy and our troubles ended, but I fear she will not. Our armies are being disbanded, and as that process goes on turbulence and bravado are again raising their hydra heads in many parts of the South. I fear your people have not yet learned ours. Nationality is burned into the brain of Northern men with few exceptions. We should not hesitate one moment in meeting not only the South, but the world, as allies, rather than part with one of the Florida keys by secession and recalling our armies to-morrow. As I said on the 2d of March, 1861, in the Senate, so say I now to you: "This nation is to stand until our childrens' children have grown gray—aye, until their childrens' children have passed from the stage." Your people supposed, and now suppose, the North exhausted. Never was a greater mistake made. She was never so prosperous. We had just learned the art of war and our ability to carry it on. This your people do not and cannot understand; hence I fear that through evil counsels they will bring more and useless suffering upon themselves. God grant my fears may be groundless. Your letter accepts the logic of events, and I desire to lay it before the President. Shall I do it?

Very respectfully, yours,

Z. CHANDLER.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
September 1, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report prisoner Davis took his exercise yesterday. The carbuncle gives him but little trouble now. Yesterday the erysipelas made its appearance again upon his nose and face. His surgeon is fearful it will become a serious matter unless it is checked. Doctor Craven visits him every morning, and to-morrow will make a full report upon his physical condition and make such recommendations as in his opinion will benefit his health.

Clay is quite well to-day. Mitchel complains of some pain in the chest.*

I remain, most respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., September 1, 1865.

Bvt. Brig. Gen. M. BURKE,
Commanding Fort Lafayette, New York Harbor:

GENERAL: I have to-day ordered three prisoners of war and two state prisoners to be transferred from Johnson's Island to Fort Lafayette. In reply to your letter of the 20th ultimo, in reference to the purchase of articles of bedding, &c., required by prisoners, I have to say that you are authorized to purchase such articles as are indispensably necessary which cannot be obtained on requisition. Bed sacks and blankets will be furnished by the Quartermaster's Department.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., September 1, 1865.

Maj. S. P. LEE, *Commanding Johnson's Island, Sandusky, Ohio:*

MAJOR: By direction of the Secretary of War you will transfer to Fort Lafayette, N. Y. Harbor, the prisoners reported on roll of August 26, except Henry P. Esteph, who will be sent to Fort Delaware.† Have them under a suitable guard and officer, and send lists with them giving the full record of each case. They will be furnished with rations for the journey. Give very particular written instructions to the guard to insure that there will be no escapes. Report their transfer with lists to this office.

Very respectfully, your obedient servant,

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

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* During the remainder of September Mr. Davis is reported as occasionally threatened with erysipelas. In October up to the 28th he is reported "well."

† Among the number thus ordered to Fort Lafayette were Charles H. Cole, "a conspirator to capture the U. S. steamer Michigan and release the prisoners on Johnson's Island," and John E. Robinson, "an accomplice of the above-named Charles H. Cole."

HDQRS. MILITARY DISTRICT OF FORT MONROE,
September 2, 1865.

[General E. D. TOWNSEND:]

GENERAL: I have the honor to report the prisoners Clay and Mitchel well to-day. Inclosed I send report of Doctor Craven upon the health of Mr. Davis. I have noticed lately on entering the cells a disagreeable smell, which the officers attribute to dampness. As the nights become colder I think the cells will become unhealthy, particularly to persons troubled with asthma like the prisoners. I would recommend that Davis be removed from the casemate to one of the buildings in the fort, where he can be as safely confined and his health improved.

I remain, with the highest respect, your obedient servant,
NELSON A. MILES,
Brevet Major-General, Commanding.

[Inclosure.]

OFFICE CHIEF MEDICAL OFFICER,
Fort Monroe, Va., September [—. *1865*].

Bvt. Maj. Gen. N. A. MILES,
Commanding Military District of Fort Monroe, Va.:

GENERAL: I have the honor to report that I was called to see prisoner Davis on the 24th of May last. I found him very feeble; prematurely old—all the evidence of an iron will, but extremely reduced in physical structure. As he continued to fail, changes were suggested in his prison life and kindly granted; his food was changed from prison fare to a liberal diet, the guards were removed from his room, he was permitted to walk in the open air and to have miscellaneous reading; indeed, everything was done for him to render him comfortable as a prisoner. Within the last week I have noticed a great change in the prisoner; he has become despondent and dull—a very unnatural condition for him. He is evidently breaking down. Save a small patch of erysipelas upon his face and a boil upon one of his limbs, no pointed disease but general prostration. I am of opinion that it may be in a measure attributed to the dampness of his room, for I have noticed lately a great change in the atmosphere of the casemates. I would respectfully recommend that he be removed from the room he now occupies to some other apartment. I have no other suggestions to make as to his treatment. He has the best of food and stimulants.

I remain, general, very respectfully, your obedient servant,
JOHN J. CRAVEN,
Brevet Lieutenant-Colonel and Surgeon, U. S. Vols.,
Chief Medical Officer, Military District of Fort Monroe, Va.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
September 4, 1865.

Major-General MILES, U. S. Volunteers,
Commanding, Fort Monroe, Va.:

Yours of 2d with Doctor Craven's report received. The President directs you to immediately prepare other quarters for Davis and report when finished, describing arrangements, then await further orders before moving the prisoner. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

FORT MONROE, *September 4, 1865—7 p. m.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

Your telegram in regard to Jeff. Davis is received and will be acted upon at once.

N. A. MILES,
Major-General.

FORT MONROE, VA., *September 5, 1865.*

Maj. THOMAS T. ECKERT, *Washington:*

General Miles orders us to vacate our old office inside the fort, as he wants it for Davis' new quarters. He orders us to commence moving immediately.

GEORGE D. SHELDON,
Manager.

WEST POINT, N. Y., *September 5, 1865—8.30 p. m.*

General MILES, *Fortress Monroe, Va.:*

You will please countermand your order for the removal of the telegraph office at Fortress Monroe and make no change or interference in respect to that office, which was established in its present position by this Department.

E. M. STANTON,
Secretary of War.

GENERAL COURT-MARTIAL ORDERS, No. 505.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, September 6, 1865.

I. Before a military commission which convened at Nashville, Tenn., December 2, 1863, pursuant to Special Orders, No. 321, dated headquarters Department of the Cumberland, Nashville, Tenn., November 30, 1863, and of which Col. John F. Miller, Twenty-ninth Indiana Volunteers, is president, was arraigned and tried—

Frank B. Gurley, citizen.

CHARGE: Murder.

Specification.—In this, that the said Frank B. Gurley, not being lawfully in the service of the so-called Confederate States, but being banded together with certain other citizens for the purpose of killing, robbing, and plundering Federal soldiers and loyal citizens of the United States, did feloniously shoot with a revolving pistol and kill Brig. Gen. Robert L. McCook, an officer in the service of the United States, without any provocation whatever, and while the said Brig. Gen. Robert L. McCook was lying sick and helpless in an ambulance. All this in the vicinity of the town of New Market, Madison County, Ala., and on or about the 5th day of August, A. D. 1862. All this in time of war.

To which charge and specification the accused, Frank B. Gurley, pleaded not guilty.

FINDING.

The commission, having maturely considered the evidence adduced, finds the accused, Frank B. Gurley, citizen, as follows:

Of the specification, guilty.

Of the charge, guilty.

SENTENCE.

And the commission does therefore sentence him, Frank B. Gurley, citizen, to be hanged by the neck until he is dead, at such time and place as the general commanding may order, two-thirds of the members of the commission concurring in said sentence.

II. The proceedings, finding, and sentence of the military commission in the foregoing case of Frank B. Gurley have been approved by the general commanding the Department of the Cumberland and forwarded for the action of the President of the United States, who directs that the sentence be carried into execution.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

[Indorsement.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
September 8, 1865.

Respectfully submitted to the Secretary of War, with recommendation that the proper military authorities at Nashville be ordered to cause the arrest and execution of this murderer, who is now at large, it is believed, somewhere in the State of Tennessee. Under a misapprehension, he is understood to have been, within a short time, exchanged as a prisoner of war, and has thus regained his liberty. This, however, does not at all exempt him from the operation of the death sentence then and still hanging over him. The murder of General McCook by this man was one of cowardly and cold-blooded atrocity, and no pains should be spared to enforce the forfeiture of life which the sentence has declared.

J. HOLT,
Judge-Advocate-General.

FORT MONROE, VA., *September 6, 1865—1 a. m.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I have the honor to acknowledge the receipt of your order of 8.30 p. m. There is no other building in the fort where quarters can be prepared for Jeff. Davis without taking officers' quarters, except the hospital building. His case not demanding hospital treatment was my objection to using that building. After a consultation with the chief engineer, quartermaster, and medical officer I selected the telegraph building to carry out the President's order of last evening, it being a small, square brick building, with but one room, where the prisoner could be confined as safely as in the casemate. Rooms were furnished the telegraph operators at the other office outside the fort. I judge from your order the case has been misrepresented, or only in part. Shall I prepare quarters in the hospital building?

With the highest respect, your obedient servant,

NELSON A. MILES,
Brevet Major-General.

ADJUTANT-GENERAL'S OFFICE, *September 6, 1865.*

Bvt. Maj. Gen. N. A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

In reply to yours of this morning the Secretary has special reasons why the telegraph office inside Fort Monroe should not be disturbed. He gave confidential orders to the operator stationed there which made it his duty to report your order to Major Eckert. The primary object being to insure the safe custody of the prisoner you will select the best place, except the telegraph building, for that purpose.

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *September 6, 1865.*

Major-General MILES, *Commanding at Fort Monroe:*

I have just seen your dispatch to the Secretary of War, in which you say you judge the matter of removal of telegraph office has been misrepresented. The only representation of it other than that contained in your dispatch is the following.*

By a special order of the War Department it is the duty of any operator in charge of a military telegraph office to inform me of any change to be made in his office, as you will perceive by General Townsend's dispatch of this morning. I make this explanation in justice to Mr. Sheldon and his operators.

Very respectfully,

THOS. T. ECKERT,
Superintendent Military Telegraph.

CONFIDENTIAL.] WAR DEPT., ADJUTANT-GENERAL'S OFFICE,
Washington, September 7, 1865.

MAJOR-GENERAL COMDG. MIL. DIVISION OF THE MISSISSIPPI:

GENERAL: The President of the United States directs that the sentences in the cases of the persons below named be executed whenever they can be arrested, and that commanding generals be instructed to secure their persons if possible:

1. Frank B. Gurley, alias Capt. Frank B. Gurley, of the so-called Confederate service, the murderer of Brig. Gen. Robert L. McCook.

Gurley was tried before a military commission which convened at Nashville, Tenn., December 2, 1863, and sentenced to be hanged by the neck until he is dead, at such time and place as the general commanding may order, two-thirds of the members of the commission concurring in said sentence.

2. James R. Mallory, alias Capt. James R. Mallory, of the so-called Confederate service, a murderer.

Mallory was tried before a military commission which convened at Nashville, Tenn., February 26, 1864, and sentenced to be hung by the neck until he is dead, at such time and place as the general commanding may direct, two-thirds of the members of the commission concurring in this sentence.

3. Thomas W. Elliott, alias Private Thomas W. Elliott, of the so-called Confederate service, a murderer.

Elliott was tried before a military commission which convened at Nashville, Tenn., in pursuance of orders from headquarters Department of the Cumberland, dated January 28, 1864, and sentenced to be hung by the neck until he is dead, at such time and place as the general commanding may direct, two-thirds of the members of the commission concurring in said sentence.

Commanding generals will use all proper means to secure the arrest of these persons, and if they, or either of them, are arrested, will immediately report the fact by telegraph to the Adjutant-General.

By command of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

(Same to Major-Generals Meade, Thomas, Pope, Gillmore, and others.)

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*See Sheldon to Eckert, September 5, p. 741.

FORT MONROE, VA., *September 11, 1865—3 p. m.*

Brig. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

I have the honor to report that the prisoner Clay is again despondent and exceedingly nervous. He was very restless and unable to sleep last night. I respectfully recommend that I be allowed to take the guards out of the front room to-night to see if it will not give him relief.

N. A. MILES,
Brevet Major-General, Commanding.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 11, 1865.

Major-General MILES, *Commanding, Fort Monroe:*

You are authorized to move the guard from the front room of Clay's apartments, as you recommend.

E. D. TOWNSEND,
Assistant Adjutant-General.

By the President's sanction.

E. D. T.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fortress Monroe, Va., September 11, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoner Davis to-day as being very comfortable. The room in Carroll Hall, which is fitting up for him, will be ready to-morrow. Clay has been very nervous for the past two days. I inclose a letter to him from his wife and ask information whether he will be allowed to receive it or not. Mitchel is well.

I am, general, very respectfully, your obedient servant,
NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

PROVOST-MARSHAL'S OFFICE,
Norfolk, Va., September 11, 1865.

Lieutenant-Colonel ORDWAY,
Provost-Marshal-General, Department of Virginia:

COLONEL: I have the honor to herewith forward a true copy of statement of R. B. Winder, assistant quartermaster (late Confederate States), in regard to watches, &c., belonging to Federal prisoners which were confined in Andersonville Prison, Ga.; also copies of receipts from W. H. Hatch, agent of exchange, and H. Wirz, captain, commanding prison. On the 10th of the present month my assistant and chief detective found in the possession of George T. Garrison (citizen) a box containing thirty-four old watches, which he (Mr. Garrison) states that he received from Mr. Winder. The original receipt states that there were thirty-nine watches, but only thirty-four can be found. Mr. Garrison lives on the Eastern Shore, and claims to be counsel for the defense of Mr. Winder, who is now confined in the Old Capitol Prison

at Washington, D. C. I would respectfully ask what disposition I shall make of Mr. Garrison, watches, &c., and original statement and receipts.

I am, colonel, very respectfully, your obedient servant,

SAMUEL GILMORE,

Captain, Thirty-ninth Illinois Infty. Vols., and Provost-Marshal.

[First indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
OFFICE PROVOST-MARSHAL-GENERAL,
Richmond, Va., September 14, 1865.

Respectfully forwarded to the major-general commanding for instructions.

I would respectfully suggest that the watches and property recovered be turned over to Bvt. Brig. Gen. John E. Mulford, assistant agent of exchange for the United States, who now has charge of money and property belonging to Federal prisoners of war. The only criminality that appears to attach to Garrison in this transaction is the fact that on receiving the property from Winder he did not promptly notify and turn it over to the U. S. military authorities.

ALBERT ORDWAY,

Lieut. Col. Twenty-fourth Mass. Vol. Infty., Pro. Mar. Gen.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, September 16, 1865.

Respectfully forwarded to headquarters Military Division of the Atlantic, with Colonel Ordway's recommendation as to the disposition of the watches approved and with a request for instructions as to the disposition to be made of Garrison. Captain Gilmore, the provost-marshal at Norfolk, who arrested Garrison and recovered the property, has received from Washington a dispatch signed "L. C. Baker, brigadier-general and provost-marshal," directing him to send the prisoner, his papers, and property to that place. I have directed Captain Gilmore not to comply with the order. If Brigadier-General Baker has been assigned to any duty which gives him power to issue orders to my subordinates I am not aware of it. I never have been furnished with any order placing him on such duty, and unless such a one has been issued I protest against this attempt to exercise such power.

ALFRED H. TERRY,
Major-General, Commanding.

[Third indorsement.]

HDQRS. MILITARY DIVISION OF THE ATLANTIC,
Philadelphia, September 21, 1865.

Respectfully forwarded to the Adjutant-General.

The recommendation of the department commander concurred in as far as relates to the disposition of the property, and attention invited to his remarks relating to the orders of Brigadier-General Baker.

GEO. G. MEADE,
Major-General, Commanding.

[Fourth indorsement.]

ADJUTANT-GENERAL'S OFFICE, *September 29, 1865.*

Respectfully referred to Col. N. P. Chipman, judge-advocate.

W. A. NICHOLS,
Assistant Adjutant-General.

[Fifth indorsement.]

MILITARY COMMISSION, *October 25, 1865.*

Respectfully returned to Brig. Gen. J. Holt.

Attention is called to the record in the Wirz trial and the finding of the court as to R. B. Winder.

N. P. CHIPMAN,
Colonel, &c., Judge-Advocate.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., September 12, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to state the surgeon reports the prisoner Davis to-day as having entirely recovered from his recent illness. Clay is somewhat better to-day than yesterday. Mitchel is well. Inclosed I forward a plan of building* in which a room is now ready for the reception of Davis, and to which he will be removed whenever the Department sees fit to order it. The room prepared for the confinement of Davis was until lately occupied by Captain Evans, Third Pennsylvania Artillery, as his quarters, and is a very pleasant and airy one on the second floor of Carroll Hall. It has three grated doors, one opening on the piazza, one into another room to be occupied by the guard, and one into the hall. It is a room in which the prisoner can be securely confined and sentinels posted as specified in the plan. I would respectfully recommend, if the prisoners are to be confined here for any length of time, that they be confined in some building instead of in the casemates, as I believe a long confinement in the casemates would result in permanent injury to the health of the prisoners.

I have the honor to be, most respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT,
Washington, D. C., September 12, 1865—12.40 p. m.

Hon. E. M. STANTON, *Secretary of War, Newport, R. I.:*

General Baker informs me this morning that he has information showing that Alexander H. Stephens sent a letter in November, 1863 [1864], to a Mrs. McVeigh, of Boston, in which he denounces the treatment of our prisoners at Andersonville. Also that Stephens claims that his written protests on the subject are on file in the rebel War Department, which show him guiltless of any participation in the matter.

THOS. T. ECKERT.

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* Omitted here, being substantially the same as Sketch B, p. 758.

WAR DEPARTMENT,
Washington, D. C., September 13, 1865—3.15 p. m.

Hon. EDWIN M. STANTON, *Newport, R. I.:*

I have just received the following from the Department of State:

THOMAS T. ECKERT, *Acting Assistant Secretary of War:*

This Department having to-day received telegraphic information of the presence of Mr. J. C. Breckinridge in Canada, the subject was brought to the consideration of the President in Cabinet, where it was determined to be advisable to arrest that person if he should be found within the limits of the United States. Your attention is consequently invited to the matter.

WILLIAM H. SEWARD.

Have you any instructions to give me on this subject?

THOS. T. ECKERT.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 13, 1865.

Hon. JAMES SPEED, *Attorney-General:*

SIR: In compliance with instructions from the Secretary of War I have the honor to submit to you the inclosed letter from his wife to C. C. Clay, a prisoner at Fort Monroe.

With great respect, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

NEWPORT, R. I., *September 14, 1865—1.30 p. m.*

Hon. THOMAS T. ECKERT,
Acting Assistant Secretary of War:

Instruct, in my name, General Baker to arrest Breckinridge if he comes within the United States. Direct General Fry, also by my order, to issue confidential instructions to all his provost-marshals to the same effect. Write a note to the Secretary of State in acknowledgment of his letter and informing him what has been ordered.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., September 14, 1865.

Maj. Gen. N. A. MILES, *Commanding, Fort Monroe, Va.:*

The following telegram has been submitted to this Department for approval:

AUGUSTA, GA., *September 13, 1865.*

Maj. Gen. N. A. MILES, *Commanding, Fort Monroe, Va.:*

Will you please inform me by telegraph how Mr. Davis is. Rumors of his indisposition have caused me great suffering. Is his indisposition serious?

VARINA DAVIS.

To which you are authorized to make the following reply, provided it represents the present condition of the prisoner:

FORT MONROE, VA., *September 14, 1865.*

MRS. VARINA DAVIS, *Augusta, Ga.:*

Mr. Davis suffered temporarily from a carbuncle on the leg and from erysipelas in the face; that is now over and he is well as usual.

N. A. MILES,
Major-General, Commanding.

THOS. T. ECKERT,
Acting Assistant Secretary of War.

FORT MONROE, *September 11, 1865.*

THOMAS T. ECKERT, *Acting Assistant Secretary of War:*

Your telegram just received. Prisoner Davis wrote a letter to his wife over two weeks ago, which was forwarded to the War Department. He fears she has not received it and requests permission to write another. Your telegram to Mrs. Davis states the present condition of the prisoner.

NELSON A. MILES,
Brevet Major-General.

WAR DEPARTMENT,
Washington, D. C., September 11, 1865.

Bvt. Maj. Gen. N. A. MILES, *Commanding, Fort Monroe, Va.:*

You can permit the prisoner Davis to write another letter to his wife, which must be forwarded to this Department before being sent to her.

THOS. T. ECKERT,
Acting Assistant Secretary of War.

NEW YORK, *September 11, 1865.*

The CONFEDERATE PRISONERS OF WAR:

Having performed the duty of furnishing you supplies, agreeable to the arrangement between General Grant and Colonel Ould, I feel that it is due to you and just to myself that you should have an outline of these duties. The arrangements made to supply the prisoners of war through the agency of their respective authorities permitted the Confederate authorities to send 1,000 bales of cotton from Mobile to me in this city, to be sold by me and the proceeds to be expended in the purchase of supplies as you might need. At the time of the arrangement—11th and 12th November, 1864—it was thought that the orders to receive the cotton on a U. S. vessel would reach Mobile on the 22d of November, and that the cotton would reach this city about the 6th of December. Under this impression, at that date the United States War Department had me paroled and permitted to come from Fort Warren to this city for the purpose of receiving and selling the cotton. Nothing having been heard of the cotton, on the 5th of January, 1865, my parole was suspended and I placed as a prisoner of war in Fort Lafayette, where I remained until the 24th of January, when, 830 bales having arrived, my parole was renewed and I allowed to enter upon my duties. The long delay brought the cotton to this city on a greatly depreciated market. As this delay and the consequent very heavy loss to the prison fund has been attributed to various causes I will state that from official letters in my possession I learn that on the 17th of December, 1864, General Granger, U. S. Army, commanding in Mobile Bay, notified General Maury, commanding at Mobile, of his readiness to receive on board a U. S. transport the 1,000 bales of cotton; that on December 22d General Maury notified General Granger of his readiness to ship the cotton; that the 1,000 bales were received on the transport and receipted for by a U. S. officer on the 15th of January. The vessel being of insufficient capacity to bring the entire quantity, 170 bales were left with the U. S. quartermaster of Fort Morgan for future shipment to New York. I have learned unofficially that the delay was caused by miscarriage of orders and uncommonly tempestuous weather.

The 830 bales, after being put in good condition for market and due notice given, were sold at public auction on the 8th of February, 1865, and brought an average of 82 cents per pound and netted $331,789.66; $8,589.68 was paid as internal revenue. The 170 bales turned over to the quartermaster at Fort Morgan did not reach this city until the 8th of April, 1865, and, after being put in marketable condition and sold at public auction April 18, netted only $23,994.76—an average of 29¾ cents per pound. The delay of the 170 bales for seventy-two days cost the prison fund $42,569.50. I feel assured that this detention was caused by some inefficient U. S. quartermaster on his own authority. All of the cotton reached this city in most wretched condition, and had to be repicked and rebaled before it could be offered for sale. Having only within a short time been able to bring personally the matter of the internal-revenue tax upon the cotton, amounting to $8,589.68, directly before the honorable Secretary of the Treasury, Mr. McCulloch, he promptly ordered it to be refunded, and on yesterday, 13th instant, it was received and paid to the contractors who furnished clothing.

On entering upon my duties it was my wish and intention to furnish you provisions, at least sugar and coffee, as well as clothing and blankets. Upon calculation I found that it would require $1,200 per day to supply the small ration of sugar and coffee, and it could not therefore be done for want of funds. The very severe winter made the demand for clothing the most important. Attached hereto is a list of the prisons and number of prisoners confined therein at the time I entered upon the discharge of my duties. (See List A.) It will be observed that to the prisons where but a small number were confined I sent no supplies. Such prisons were, as a general thing, used merely for the temporary detention of prisoners, they being speedily transferred to larger stations. Among the 2,259 boxes of provisions, clothing, and tobacco that arrived from the South there were a number for the officers, prisoners of war, at Hilton Head, Morris Island, and Fort Pulaski; but learning officially that these officers had been ordered on exchange I had the boxes distributed among the remaining prisoners. After this was done I learned that those officers had been returned to Fort Delaware. During the performance of my duties, which occupied my entire time and attention for several months, I received from the U. S. officers with whom I had business intercourse great courtesy and every assistance. To the quartermaster's department in this city great credit is due for the prompt and correct transportation of supplies, as shown by the receipts in my possession from the Confederate prisoners who distributed the supplies at the several prisons. The charge has been made that I "gave contracts to Union men." In reply I have but to say that I looked upon my duties and obligations as too sacred to admit of my consulting anything save the interest of the prisoners. I gave contracts where I thought the best results could be obtained without reference to political opinion. To Messrs. Duncan, Sherman & Co., bankers, I gave the control of the cotton, and to their most excellent management you are indebted for receiving the highest market price for the cotton. Especial thanks are due them, as their services were given without charge.

Newspapers will confer a great favor by copying the above.

WM. N. R. BEALL,
Late Brigadier-General, C. S. Army.

List A.

Name of prison.	Number of prisoners.	Blankets.	Coats.	Pants.	Shirts.	Drawers.	Socks.	Shoes.	Packages from South.
Elmira, N. Y	8,143	1,948	2,575	2,810	2,394	2,830	3,758	2,320	307
Point Lookout, Md	10,140	3,148	3,637	3,587	3,818	1,500	2,688	4,380	171
Fort Delaware, Del	6,955	2,850	1,874	3,141	2,260	2,947	3,992	2,475	821
Fort Lafayette, N. Y	133	20	35	27	80	40	50	22	41
Camp Chase, Columbus, Ohio	5,819	2,484	1,760	2,340	2,280	1,800	2,604	2,600	58
Camp Douglas, Chicago, Ill	8,331	1,984	2,764	2,740	3,530	2,044	2,200	3,650	21
Camp Morton, Ind	4,626	1,500	1,580	1,585	1,730	1,600	1,460	1,810	12
Rock Island, Ill	5,819	1,580	1,750	1,885	2,760	1,400	1,700	1,900	45
Fort McHenry, Baltimore	281	114	117	260	.....	350	360	170	12
West's Buildings Hospital, Baltimore.	243	50	60	146	100	150	50	115	2
Fort Warren, Boston Harbor	219	70	50	105	207	111	160	162	15
Alton, Ill	1,393	400	800	820	790	777	670	800	22
Lincoln General Hospital, Washington.	82	.....	.....	11	19	23	19	14	.....
Johnson's Island, Ohio	2,698	1,000	1,347	1,670	1,130	710	1,289	1,520	685
Governor's Island, N. Y	322	49	25	20	20	90	107	41	4
Nashville, Tenn	140	.....	495	510	680	230	79	520	.....
Prison in New York City	50	2	3	12	11	12	1	10	2
Fort Pickens	15	.....	.....	.....	.....	.....	.....	.....	.....
General Hospital, Alexandria, Va.	.....	.....	.....	.....	.....	.....	.....	.....	.....
General Hospital, Hammond, Washington.	10	.....	.....	.....	.....	.....	.....	.....	.....
General Hospital, Memphis, Tenn.	39	.....	.....	.....	.....	.....	.....	.....	.....
Hospital, Beaufort, S. C	40	.....	.....	.....	.....	.....	.....	.....	.....
Hospital, Lexington, Ky	2	.....	.....	.....	.....	.....	.....	.....	.....
Hospital, Wheeling, W. Va	64	.....	.....	.....	.....	.....	.....	.....	.....
Hospital, Old Capitol	375	.....	.....	.....	.....	.....	.....	.....	.....
Hospital, Louisville	102	.....	.....	.....	.....	.....	.....	.....	.....
Barracks, Cincinnati, Ohio	11	.....	.....	.....	.....	.....	.....	.....	.....
Little Rock, Ark	370	.....	.....	.....	.....	.....	.....	.....	.....
Gratiot Street Prison, Saint Louis.	102	.....	.....	.....	.....	.....	.....	.....	.....
New Orleans	162	.....	.....	.....	.....	.....	.....	.....	.....
Total	56,687	17,199	18,872	21,669	21,809	16,614	21,187	22,509	2,218

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
September 16, 1865.

THE SECRETARY OF WAR FOR THE PRESIDENT:

In the case of Edward A. Swain, lately a midshipman in the rebel Navy and now in confinement at San Francisco, Cal., under sentence of a military commission, an application for pardon being referred to this Bureau, it is reported to the Secretary of War for the President, on the 6th of September, instant, that the record of the prisoner's trial had not reached its files, but that from a general order of Major-General McDowell, in which the proceedings of the military commission before which he was tried were fully reviewed, it appeared that the prisoner, with certain associates, had been convicted of an atrocious crime, for the guilt of which the brief imprisonment to which they had been subjected could not, in the opinion of this office, be considered an expiation, and that in the absence of the record no just reason was found for disturbing the execution of their sentence. The record of the trial is now at hand. It appears from it that the prisoner, with T. E. Hogg, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, was found guilty by a military commission convened in

the city of San Francisco, Cal., 22d May, 1865, "of violation of the laws and usages of war."

Specification.—In this, that they, the said T. E. Hogg, E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, being enlisted, enrolled, commissioned, or engaged by the Government of the so-called Confederate States, at war with the United States, did, on or about the 10th November, 1864, come on board the U. S. merchant steamer Salvador, then lying in the friendly port of Panama, New Granada, in the guise of peaceful passengers, without any visible mark or insignia indicating their true character as enemies, and did so enter on board of said steamer, secretly armed and provided with manacles, with the intent, purpose, and object of treacherously rising on the master, crew, and unsuspecting passengers of said steamer, when she had reached the high seas, and capturing her and the property aboard, and of converting her into a cruiser to prey on the commerce of the citizens of the United States.

The prisoners were severally sentenced to be hung by the neck until dead. The proceedings and findings of the court, with certain qualifications and exceptions which need not be enumerated in this report, were approved by Major-General McDowell, commanding Department of the Pacific, and the sentence of death mitigated to confinement in the State penitentiary at San Quentin, Cal., as follows: T. E. Hogg, the leader, for the term of his natural life, and each of the other prisoners enumerated for the term of ten years. The proof is that a few days before the 10th of November, 1864, Acting Rear-Admiral George F. Pearson, of the U. S. Navy, commanding the Pacific Squadron, being on board his flag-ship, the Lancaster, lying in the Bay of Panama, was called on by Captain Douglass, commanding the American packet steamer Salvador, then also lying in the said bay, who informed him that a number of passengers whom he considered dangerous would probably come on board his ship, to sail on the 10th of November, and requested that a sufficient force be sent on board to protect the ship, his passengers, and himself from harm, while he should examine the luggage of the passengers, in which he expected to find implements of war. Admiral Pearson complied with this request by sending on board the Salvador on said 10th of November, at a concerted signal, Commander Davenport, of the Lancaster, with an adequate force of armed sailors and marines, who took possession of the Salvador, got her immediately under way, and stood down the bay, following the Lancaster, which ship had weighed anchor and stood out in charge of the admiral. In the meantime the search of baggage, as well as the persons of a portion of the passengers, had been commenced, and in that which was identified as belonging to these prisoners were found numerous pistols with ammunition, about two dozen pairs of shackles, or handcuffs, and numerous papers, showing their connection with the rebel naval service. Among them was a letter of instructions from S. R. Mallory, styling himself "Secretary of the Confederate Navy," to Acting Master Thomas E. Hogg, of that Navy, containing directions in detail for the seizure of the Salvador, or her consort, the Gaulemarela, without fail, and her conversion into an armed rover under the rebel flag, to prey on the commerce of the United States in the Pacific Ocean in concert with the Alabama, and to communicate with the captain of that vessel, Semmes, at the earliest moment possible. Charts of portions of the Pacific Ocean and coasts were also found; three Confederate flags and a crew list, from which it appears that Swain, the present applicant for pardon, was an acting master's mate in the service and was to have been executive officer, or second in command of the prize. It may be proper to remark in this connection that it was shown at the trial that the preparations for the seizure and conversion of the Salvador or

her consort had been in progress for many months; that two or more rifled cannon, to be mounted on her, with small-arms and ammunition for her equipment, had, in disguised packages, been shipped up the coast; her officers and crew, detailed and in different squads or divisions, were, under various pretexts, hovering near, waiting to concentrate and meet the ship at some concerted time and place.

On reaching the mouth of the bay, about 100 miles from Panama, the prisoners were formally arrested and transferred to the Lancaster, in which ship they remained until sent by the steamer Saginaw to San Francisco for trial. The proof of the charge specified against the prisoners was perfectly conclusive. The most important document presented in evidence was the letter of Mr. S. R. Mallory, styling himself "Secretary of the Confederate Navy." Its genuineness was proved and subsequently admitted by the prisoners, who, so far from denying their purpose and intent to follow its instructions by capturing the Salvador without fail at whatever cost of blood and suffering to the unarmed and peaceful officers and crew of this merchant ship or to their unsuspecting fellow-passengers, seemed rather to glory in that purpose as entitling them to share the honors of that indomitable little Confederate Navy, which, as they boasted in their defense before the court, "had swept the ocean, lit battle fires in many a sea, and illumined the darkness of night with many a burning wreck." Nothing could more fully disclose the animus of these men than this vainglorious boasting of what they style, "the whole fearful and tragic scene," mainly enacted by the Alabama and the Shenandoah in robbing and burning whole fleets of defenseless fishing vessels without firing a gun or incurring the smallest risk of "tragic" consequences to themselves; a work of heartless plunder and destruction which, aside from its guilt, should cover every one engaged in it with shame, and at which every sentiment of honor and manhood revolts with scorn.

It was contended by the accused, in their defense before the court, that the act charged against them as a crime, even had it been carried fully into execution, "was a stratagem in war, perfectly allowable under the laws and usages of war," which they, as recognized belligerents, had a right to execute, but that, admitting the criminality of the act, if it had been executed, it having been frustrated, and having existed only in intention, the law allowed them a *locus penitentiæ* (place or time for repentance), and as they had committed no overt act, they were not properly chargeable with any crime. It was clearly shown by Major-General McDowell in his review of the case in General Orders, No 52, promulgating the findings and sentence of the court, that these positions were untenable; that the laws and usages of war allowed no other stratagems than such as were "without perfidy and consistent with good faith;" whereas these prisoners treacherously entered upon the Salvador as peaceful passengers, under the implied pledge that they would conduct themselves as such, and not as enemies. Their action in this was perfidious and in violation of good faith. Their guilty enterprise had been many months in preparation, had involved long voyages and various arrangements at places distant from each other, during all which they had opportunity for repentance and the relinquishment of their guilty purpose. But when in pursuit of that purpose, with arms and manacles concealed in their baggage and on their persons, they entered on the Salvador for its consummation, the *locus penitentiæ* had ceased to exist, and it was too late for them to claim its benefits.

This office is of the opinion that the charge, as specified, is fully sustained by the testimony, and that, in view of the fearful consequences

that might have resulted from their crime, the findings and sentence of the commission were completely warranted, on the ground that—

Both the statute and common law measure punishment to a great extent by the consequences that have flown, rather than by those which might have flown, from the crime committed; that an attempt to commit a crime, accompanied with failure, is not punished with the same severity as an attempt that succeeds, and that the prisoners utterly failed; in view, too, that punishment for the violation of the laws of war has especial reference to the future conduct of the belligerent party to which the violators belong, and as under present circumstances such party is unable to do further harm.

The sentence of death was mitigated by Major-General McDowell, commanding, as follows:

To confinement in the State penitentiary at San Quentin, Cal., T. E. Hogg, the leader, for the term of his natural life, and E. A. Swain, John S. Hiddle, W. L. Black, T. J. Grady, R. B. Lyon, and Joseph Higgin, each for the term of ten years.

The application now pending for the pardon of Edward A. Swain was evidently prepared under an impression on the part of the petitioners that he had been tried for piracy and was under sentence of death. They urge their petition in his behalf mainly on the ground of his youth and his unexceptional character as a mere stripling prior to the war. It appears, however, from their admission, that he was not conscripted or forced into the rebel military service, but entered it voluntarily. It appears from documentary evidence produced at the trial, as already shown, that he was detailed as executive officer, or second in command on board the prospective prize of these prisoners, the Salvador, when she should become a Confederate rover. His appointment to such a position (understood to be the most influential and responsible in an armed ship) implies full maturity of age and experience. After a careful review of the whole case as exhibited in the record this office remains of the opinion that no just ground is presented for the pardon of this prisoner or for a further mitigation of his sentence. It believes, as already intimated, that the sentence of death pronounced against these offenders was fully warranted by the testimony; that in view of all the circumstances which attended their guilty enterprise and of the bloody and destructive consequences which it threatened, it was a remarkable exercise of clemency on the part of the reviewing officer to commute the punishment of these men to imprisonment only. The few months' confinement to which they have been subjected cannot be viewed as an approximation even to a just expiation of their crime; and to pardon them now or further mitigate their punishment would seem to manifest indifference or indulgence toward one of the most perfidious, cowardly, and atrocious crimes that marked the progress of the rebellion.

J. HOLT,
Judge-Advocate-General.

SEPTEMBER 22, 1865.

Col. N. P. CHIPMAN, U. S. Army,
Judge-Advocate, Military Commission:

DEAR SIR: Agreeable to our understanding, I have prepared the following statement in relation to the Confederate prisons, &c.:

During the years 1862 and 1863, being in Richmond, Va., and in the employ of the Confederate Government, I became acquainted with Henry Wirz. He was an assistant keeper of the military prisons, situated on Cary and Main streets, Richmond. He attended alternately

those prisons. He was an extremely profane man and very strict in the discharge of his duties, oftentimes severe toward prisoners. While I was at Andersonville attending to business with General Winder I there heard of his inhumanity toward Federal prisoners, but saw none of it myself at this place. I was inclined to the belief that he was spoken of in this connection more for the purpose of bolstering him as being a good officer than anything else. As well as I can recollect, I was at Camp Lawton Prison, near Millen, Ga., in September, 1864. While I was there orders were received to select a number of the sick prisoners to be exchanged. I heard many of the sick complain that such of the prisoners, sick or not, who had money could have their names put upon the list for exchange, to the exclusion of the more afflicted who had not money to bribe the officers with that had the making of the selections for exchange, so that many of the sick who would have otherwise been exchanged and living were left in prison to suffer and die. Upon my making inquiry relative to their complaints I found that it was true and reported the same to General Winder, under whom I was acting. He at once instituted means to recover from the officers of the prison the moneys they had thus obtained. When making my inquiries into the matter the prisoners would refuse to testify to having given it. Notwithstanding, I found means to establish the truth of the complaints, and General Winder succeeded in recovering a portion of the money from the officials in whose possession it was. I visited the prison at Florence, S. C., in the latter part of the year 1864, and fore part of 1865, and while there heard a general complaint from the prisoners of the bad treatment they received, and of their being robbed of their moneys and jewelry. On making inquiry into the nature of their complaints I found that upon the prisoners being received into the prison it was the practice of those in charge of the prison to take from them their moneys and other valuables, and from such as they got small amounts they would give receipts to, but to those from whom they obtained large amounts no receipts were given. The same practice prevailed here as at the other prison in relation to the selection of the sick to be exchanged. They were on leaving the prison refused the moneys and other valuables which had been taken from them, upon the plea that the officer having them in charge was absent and that they were not responsible. The treatment in other respects at this prison was of a similar character to the others. Some of the officers having charge of the prisons I had visited I found to be extremely corrupt and were constantly practicing toward the prisoners such treatment as did not come within the range of their duties, thereby causing death and suffering among them.

Respectfully, yours, &c.,

PH. CASHMYER.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., September 23, 1865.

Brig. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Clay and Mitchel as being well. Davis has still some indications of having erysipelas in the face. Since reporting the room ready in Carroll Hall for the confinement of Davis I have received no answer as to when he should be moved, nor to my recommendation that if the prisoners were to be confined at this place any length of time they all be confined in Carroll

Hall. The recommendation was based on the surgeon's report that the casemates were unhealthy for persons affected with asthma, like the prisoners.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

WAR DEPARTMENT, *September 25, 1865.*

Bvt. Lieut. Col. L. H. PELOUZE,
Assistant Adjutant-General, Washington, D. C.:

SIR: The Secretary of War directs that you repair to Fort Monroe, Va., and critically inspect the prison room in Carroll Hall lately fitted up for Jefferson Davis, to ascertain whether it is secure and appropriate. You will also ascertain whether other rooms can be fitted up in the same building for two more prisoners now in the casemates, should it be deemed best to move them. If the room prepared for Davis is found suitable you will direct General Miles, in the Secretary's name, to transfer him to it from his present quarters in the casemates. Having accomplished the above objects, you will return and resume your duties in this Department and report the result of your inspection.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, September 28, 1865.

Hon. E. M. STANTON, *Secretary of War:*

Doctor Gwin and ex-rebel Senator Clark, of Missouri, returned to San Antonio, Tex., and were sent by General Merritt to report to me, reaching here last night. Ex-Senator Clark went to Mexico with E. Kirby Smith. Gwin has been absent from the country for a long time. I respectfully ask for orders from you in reference to them. They are not in close confinement.

P. H. SHERIDAN,
Major-General.

FORT MONROE, VA., *September 28, 1865.*

Bvt. Maj. Gen. NELSON A. MILES,
Commanding Military District of Fort Monroe:

GENERAL: The Secretary of War directs that Jefferson Davis be transferred from his present quarters in the casemates of this fort to the prison room in Carroll Hall lately fitted up for his reception.

Very respectfully, your obedient servant,

L. H. PELOUZE,
Asst. Adjt. Gen., Brevet Lieutenant-Colonel, U. S. Army.

WASHINGTON, D. C., *September 29, 1865.*

General E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army:

GENERAL: In compliance with the foregoing instructions* I have the honor to report that I have made the required inspection, and regard

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* See third, *ante*.

the room in Carroll Hall, Fort Monroe, Va., lately fitted up for Jefferson Davis, as secure and appropriate for his reception, and have directed his transfer thereto by an order of which the inclosed is a copy.*

I also report that other rooms in the same building can be fitted up for two other prisoners now in the casemates of Fort Monroe, should it be deemed best to move them.

A description of Carroll Hall and the prison room with the reasons for regarding the prison secure and appropriate is made an appendix to this report.

I am, general, very respectfully, your obedient servant,

L. H. PELOUZE,

Asst. Adjt. Gen., Brevet Lieutenant-Colonel, U. S. Army.

Appendix.

Carroll Hall is the name given to the officers' quarters in Fort Monroe, Va., and is situated at the salient bastion of fronts 6 and 7. (See sketch marked A.)

The building is a two story with attic; its walls are of brick, 1 foot 9 inches in thickness; a piazza 10 feet wide extends the entire front of the second floor. It has a front of about 165 feet, a depth of 45 feet, and is entered by halls on the first floor at distances of about 45 feet from each end of building.

The height of rooms on the first floor is 11 feet, the thickness of second floor is 14 inches, and the height from second floor to ceiling is 12 feet 4 inches. (See sketch B.)

Sketch B is a plan of the second floor of Carroll Hall. A plan of the first floor does not differ materially from it.

A hall 6 feet 10 inches wide runs through the center of this building almost its entire length and separates the front from the rear sets of quarters. The room fitted up as a prison is at the extreme south end of Carroll Hall, on the second floor, and faces the interior of the fort. Its dimensions are 16 feet 6 inches in width, 15 feet in depth, and 12 feet 4 inches in height. The window of this room (see P in sketch B) is 4 feet wide, and is secured by seven upright iron bars, round, three-fourths of an inch in diameter, placed at equal distances apart. These run through six horizontal bars of iron, the lowest 8 inches from the floor and the upper one 8 inches from the top, the others at equal distances apart.

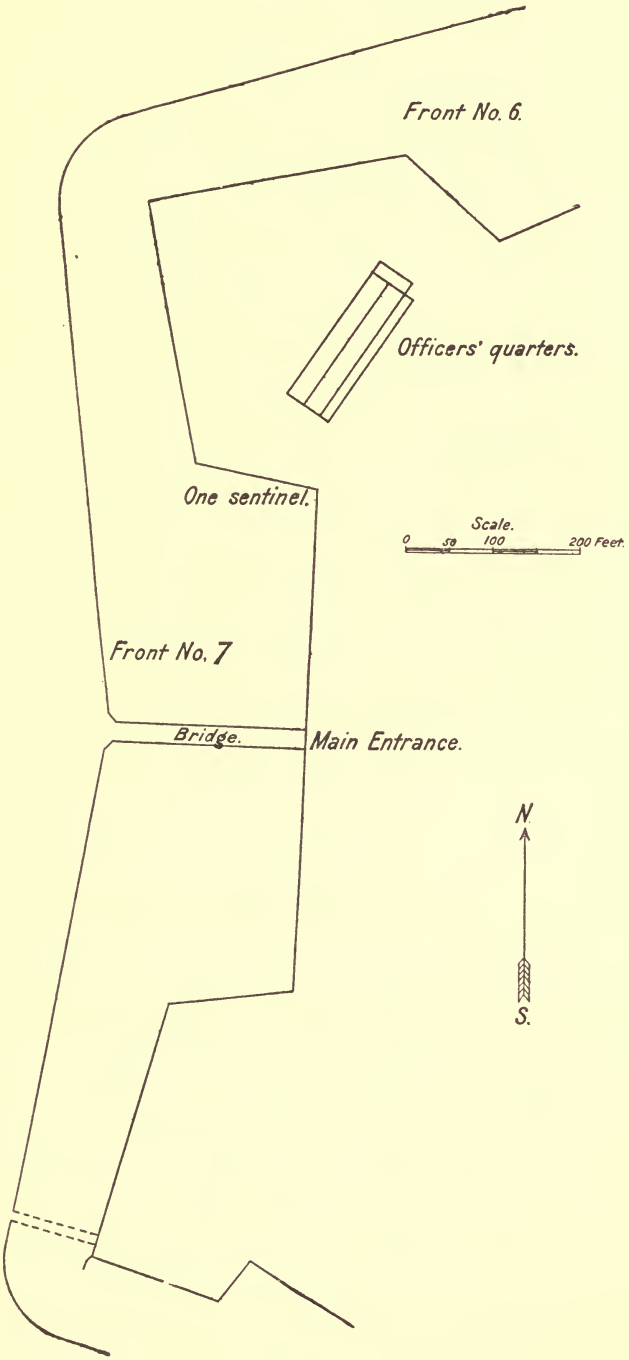
These bars are fastened by heavy screws to the casings of the windows, and the heads of the screws are cut off.

The doors (see R and T in sketch B and also sketch C) are made of heavy oak and iron combined, as shown in sketch. The door window closes outside the bars (see P) without obstructing the view of the sentinel stationed thereat. The door leading into the hall (see R) when inspected could be opened with a key, but there being no use for it as a door, it is being permanently bolted, and a door with a sash of glass in the upper half will be placed on the hall side of these bars, which can be opened or closed as ventilation or temperature may require, and which will not interfere with the view of the sentinel posted at the same. The door leading into the adjoining room, intended as guard-room (see T), will be the only one used for ingress and egress. Matting is to cover the hall and guard-room floors, which will prevent much noise, and will make more audible any movement in the prison room.

* See next, *ante*.

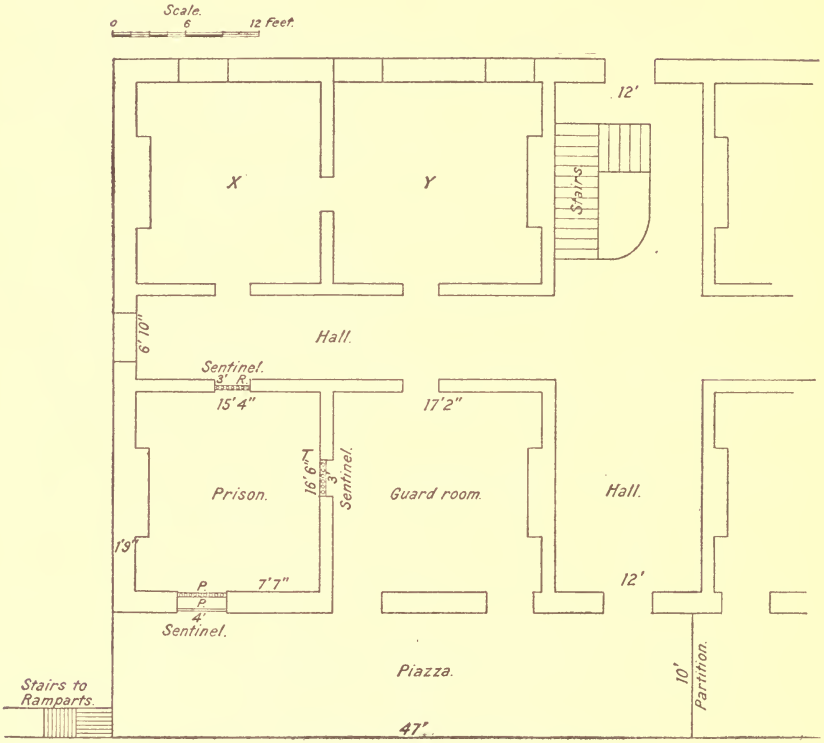
A.

Showing position of the officers' quarters at the salient bastions of fronts 6 and 7 of Fort Monroe. September 10, 1865.



B.

Plan of the second floor of the officers' quarters at the salient bastion of fronts 6 and 7 of Fort Monroe.



A short bridge and stairway has been erected, connecting the end of piazza in front of prison room with the ramparts, enabling the prisoner to reach them for outdoor exercise without descending the stairs.

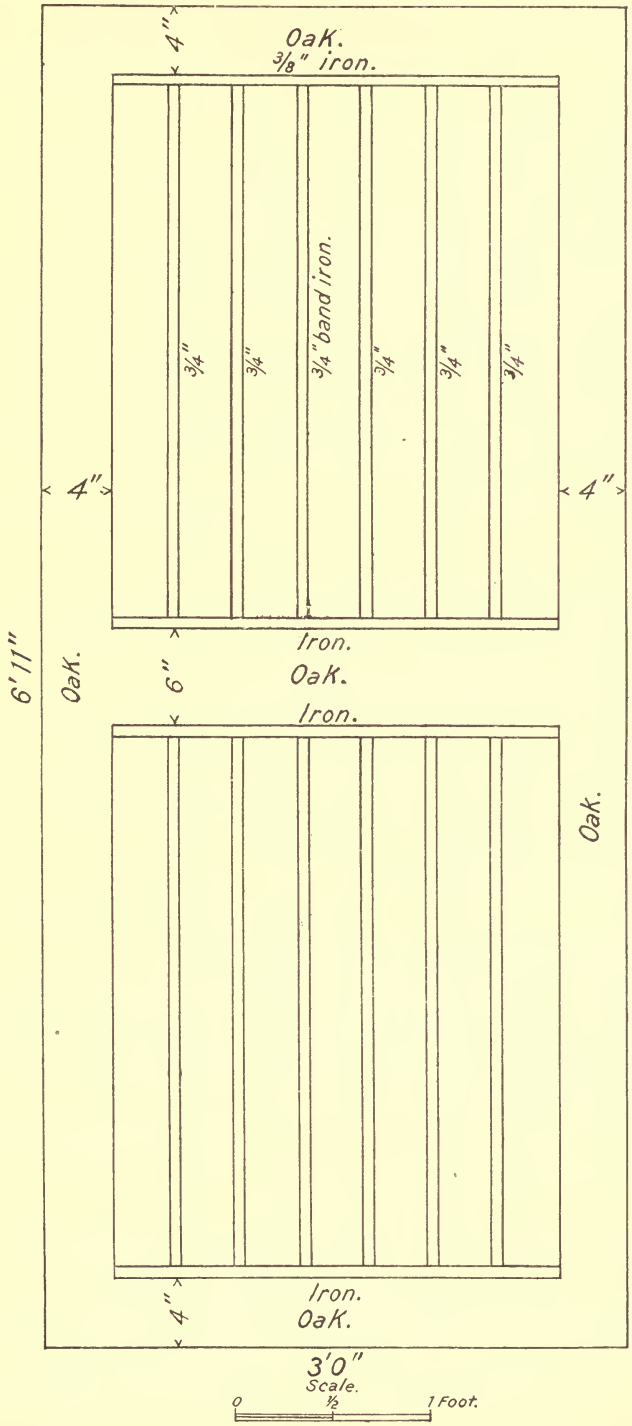
The piazza is partitioned forty-five feet from the south extremity, which will give the prisoner this distance for exercise during inclement weather.

The prison room is well ventilated, well lighted, and is in that end of Carroll Hall the least exposed to cold winds. In it is a grate for coal, which ought to keep a proper degree of warmth during cold weather.

The room marked in the sketch, Y, on the second floor and the room on the first floor under that marked X in the sketch could be made secure for the reception of other prisoners. Other rooms could be so prepared, but I designate these, for the reason that this end of the building could be shut off by a barricade in the hall, not interfering with the rest of the building for officers' quarters; besides this the guards would be concentrated instead of scattered, and, if necessary, their number diminished.

I designate these two rooms of the eight in prison end for the reason that the prisoners would be the most distant from each other, and it

C.


4"
Oak.
3/8" iron.
3/4"
3/4"
3/4" band iron.
3/4"
3/4"
3/4"
4"
4"
Iron.
6'11"
Oak.
6"
Oak.
Iron.
Oak.
4"
Iron.
Oak.
3'0"
Scale.
0
½
1 Foot.

might not be prudent to put one prisoner in a room over which there was another.

Respectfully submitted.

L. H. PELOUZE,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 29, 1865.

Major-General SHERIDAN, *New Orleans, La.:*

Your telegram of yesterday's date to the Secretary of War in relation to the rebel Doctor Gwin and the person called ex-Governor Clark, of Missouri, has been submitted to the President for his instructions. The President orders that immediately on receipt of this telegram you cause Gwin and Clark, and any other persons who may have come within our military lines with them, to be arrested and imprisoned in close custody in Fort Jackson, or any other secure fort or military prison, in strict confinement until further order. You will acknowledge the receipt of this telegram and report your action under it.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., September 29, 1865.

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

I am afraid I was not sufficiently explicit in my telegram of yesterday about Doctor Gwin. I mean the Doctor Gwin who is or has been called the Duke of Sonora.

P. H. SHERIDAN,
Major-General, Commanding.

WAR DEPARTMENT,
Washington City, September 29, 1865.

Major-General SHERIDAN, *Commanding, &c., New Orleans:*

Your telegram was understood to relate to Gwin, the Duke of Sonora, and he is the person the President directs you to arrest and imprison in close confinement at Fort Jackson, or some other secure fort or military prison in your command. You will please acknowledge the order and report your action.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., October 1, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

Your telegram of the 29th instant received. Doctor Gwin and Mr. Clark are both in close arrest and will be sent to Fort Jackson to-day.

P. H. SHERIDAN,
Major-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
October 2, 1865.

General E. D. TOWNSEND,
Assistant Adjutant-General, War Department:

GENERAL: I have the honor to state that the prisoners Davis, Clay, and Mitchel [are] in good health. Davis was removed to his new quarters in Carroll Hall at 9 a. m. to-day. The same guard of one officer and ten sentinels are still kept over him. Inclosed is a copy of a letter from Clay to his wife.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General, U. S. Volunteers.

FORT JACKSON, *October 6, 1865.*

Major-General SHERIDAN:

GENERAL: Not having had the pleasure of seeing you after I was restricted to my room before my departure from New Orleans, I beg to ask you, if you have not done so, to present my case to the authorities at Washington, with a request that I be released or paroled, and permitted to take the requisite oaths, &c., which I am willing to do if permitted.

I am not aware of any act that subjects me to different treatment than any other member of the Confederate Congress, except having gone to Mexico. But when it is stated, which I can prove if permitted, that I did not enter Mexico to remain there, or to engage in the military or political affairs of that country in any way, but to merely pass through to California to provide a future residence for my family, then in Missouri, and whose residence they had been deprived of during the war, I hope it will be sufficient to exempt me from that suspicion that might otherwise attach to my movements. I beg further to state that I did not leave the United States until after the surrender was made and some time after all those military gentlemen had left, many of whom I never have seen in my life, nor have I any kind of understanding with them or personal knowledge of their movements or designs, nor never had.

Your obedient servant,

JOHN B. CLARK.

[Indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., October 11, 1865.

Respectfully transmitted to the honorable the Secretary of War for his information, with the recommendation that Mr. Clark's petition for release be granted.

P. H. SHERIDAN,
Major-General, Commanding.

FORT PULASKI, *October 7, 1865.*

Maj. W. C. MANNING, U. S. Army:

DEAR SIR: Having learned with regret that you are ordered to a new field of duty, we desire permission to express to you the high opinion we have formed of your merits as an officer and the satisfaction we have felt with your deportment as a gentleman. It is only just to you to say that during your administration of the military command

at this post you have exhibited abilities for command which are highly creditable, and in your treatment of the prisoners committed to your charge, while strictly enforcing and maintaining the regulations which your military duties required, your conduct has been tempered by a discretion, considerateness, and urbanity which has attracted our respect and deserves our thanks. It would have been to us a great satisfaction if, consistently with the public service, the commanding general could have permitted you still to remain in the command of this post.

To yourself and the officers of your command we are indebted for many kindnesses, which have afforded some alleviation to our misfortunes, and for this we beg you to accept for yourself and them our respectful acknowledgments, and to do us the favor of communicating our feelings to them.

Our best wishes follow you in your future career.

With great respect, your obedient servants,

JAMES A. SEDDON,
C. S. Secretary of War.
J. A. CAMPBELL,
Assistant Secretary of War.
G. A. TRENHOLM,
Secretary of the Treasury.
H. W. MERCER,
General, C. S. Army.
A. G. MAGRATH,
Governor of South Carolina.
A. K. ALLISON,
Governor of Florida.
D. L. YULEE,
Ex U. S. Senator.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, October 8, 1865.

Bvt. Brig. Gen. M. BURKE, U. S. Army,
Commanding Fort Lafayette, New York Harbor:

SIR: I have the honor to submit the following inspection report of the condition of the prisoners of war at this station for the week ending October 8, 1865:

Conduct—very good. Cleanliness—very good. Clothing—good. Bedding, iron bedsteads, blankets, and pillows—good. State of quarters—excellent. State of kitchen—prisoners are not allowed in kitchen; meals are sent to them. Food, quality of—excellent. Food, quantity of—soldiers' rations, together with vegetables purchased from fund. Water—(Croton) excellent. Sinks—comfortable and cleanly. Police of grounds—excellent. Drainage—good. Police of hospital—no hospital at post. Attendance of sick—Dr. O. W. Gibson, acting assistant surgeon, U. S. Army, once a day. Hospital diet—none at post. General health of prisoners—good. Vigilance of guard—excellent; prisoners are verified three times during the night by the officer of the day.

Remarks and suggestions.—The number of prisoners at this post is nine—of war and state. They are allowed exercise in the parade ground from reveille until retreat.

Very respectfully, your obedient servant,

ROBERT P. WILSON,
Capt., Seventeenth U. S. Infty., Actg. Post Adjt. and Insp. Officer.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 9, 1865.

Bvt. Maj. Gen. N. A. MILES,
Commanding, &c., Fortress Monroe, Va.:

SIR: You will please deliver the inclosed letter to Davis and report to this office accordingly.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 10, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Old Point Comfort, Va.:

SIR: At the request of the honorable Secretary of State, you will inform Mr. Jefferson Davis that Messrs. C. E. Hooker, T. J. Wharton, and F. Anderson, representing themselves as a committee appointed by the bar of the State of Mississippi, have, through the Department of State, offered their services, collectively and individually, as counsel for Mr. Davis in any trial which the Government may order in his case. Acknowledge receipt.

I am, sir, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fortress Monroe, Va., October 11, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Davis, Clay, and Mitchel as being well, and to acknowledge receipt of General Court-Martial Orders, No. 268, Adjutant-General's Office, current series, and your letters of the 9th and 10th instant referring, respectively, to delivering letter of the prisoner Davis, and informing him of Messrs. Hooker, Wharton, and Anderson tendering their services as his counsel. He desires permission to write these gentlemen, thanking them for their kindness.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General, Commanding.

WAR DEPARTMENT,
Washington City, October 11, 1865—1 p. m.

The COMMANDANT OF FORT PULASKI:

The Secretary of War directs me to transmit to you the following executive order:

EXECUTIVE OFFICE, *October 11, 1865.*

Whereas, the following named persons, to wit: John A. Campbell, of Alabama; John H. Reagan, of Texas; Alexander H. Stephens, of Georgia; George A. Trenholm, of South Carolina, and Charles Clark, of Mississippi, lately engaged in rebellion against the U. S. Government, who are now in close custody, have made their submission to the authority of the United States and applied to the President for pardon under his proclamation; and whereas, the authority of the Federal Government is sufficiently restored in the aforesaid States to admit of the enlargement of said persons from close custody:

It is ordered, That they be released on giving their respective paroles to appear at such time and place as the President may designate, to answer any charge that he

may direct to be preferred against them, and also that they will respectively abide, until further orders, in the places herein designated, and not depart therefrom, to wit: John A. Campbell in the State of Alabama, John H. Reagan in the State of Texas, Alexander H. Stephens in the State of Georgia, George A. Trenholm in the State of South Carolina, and Charles Clark in the State of Mississippi. And if the President should grant his pardon to any of said persons, such person's parole will be thereby discharged.

ANDREW JOHNSON.

The Secretary further directs that upon their giving their respective paroles, as prescribed in said order, you release the persons in your custody therein mentioned and give them transportation to the places they may designate in accordance with their parole.

E. D. TOWNSEND,
Assistant Adjutant-General.

(Same to commandant of Fort Warren, Boston Harbor.)

RICHMOND, *October 12, 1865.*

[Col. N. P. CHIPMAN, U. S. Army:]

SIR: In compliance with your desire that I would make a statement of such information as I could furnish relative to the treatment of Union prisoners confined in the Southern States during the war, I have the honor of presenting the following, which if not as full in detail as may be necessary will be made so upon your intimating what place or person you desire further information about:

Libby Prison, Maj. Thomas P. Turner, commandant; Captain Warner, commissary; Lieuts. George Emack, Latouche, Bossieux, attachés, also Dick Turner. The condition of the prisoners was better than at any of the other prisons, excepting the period when so many were crowded on Belle Isle, which was attached to the same command. At Belle Isle the prisoners suffered intensely from cold, there being insufficient shelter for the immense number confined within such narrow limits. This shelter could readily have been obtained, as was displayed by the ease with which extensive hospitals were erected around Richmond. The prison discipline was strict; the commissary supplies the same as those furnished to the Confederate soldiers. Captain Warner at one time complained of his inability to obtain sufficient stores from the Commissary-General, Colonel Northrop. The Secretary of War, General Randolph, immediately directed the purchase of whatever was needed from the Richmond merchants till the Department was prepared to resume the issue of supplies. The only prison officials of whom I heard complaint were Lieutenant Emack and Dick Turner, the former for harsh and tyrannical display of authority; the latter for the same severity in a greater degree. Prisoners whom, after leaving Richmond, I met in other prisons, charge Turner with robbery in addition to his inhumanity.

Castle Godwin, a military prison used for the confinement of civilians and military prisoners (Confederates), was instituted in 1862, at the declaration of martial law in this city. The Hon. J. M. Botts, Messrs. Stearns, Palmer, Higgins, Wardwell, and other prominent Union citizens of this city and the State of North Carolina, were here confined. Their treatment was characterized by much severity from the authorities. All of them for weeks and many of them for months during their entire confinement were deprived of all communication with their families or friends excepting by letter. Captain Godwin, the provost-marshal, was extremely severe toward these prisoners. Capt. G. W.

Alexander, assistant provost-marshal and commandant of the prison, in which office he continued for two years, during which it was moved to another building, where he gave it the appropriate name of Castle Thunder, was an officer whose only virtue was that of being a severe disciplinarian. He prostituted his authority to the arrest of all persons, Union or otherwise, whom he or his underlings could entrap into any expression of sentiment against those in authority or evasion of military law. This he made the process of a system of robbery, confiscation, and blackmail that would at this day require strong evidence to believe could have been practiced with such impunity. As a prison commandant he was harsh, inhuman, tyrannical, and dishonest in every possible way he could practice these vices.

Salisbury Prison, N. C., contained within its limits about fifteen acres. The shelter consisted of one large and some small buildings, with the addition of an insufficient number of tents, which in cold weather induced those confined to burrow in the earth. Several hundred Union (citizen) prisoners were confined here during the year 1862, very many of whom died. Colonel Godwin, former provost-marshal of Richmond, was in command during the period these prisoners were confined. His treatment of them was unkind and severe. I am acquainted with the affairs of this prison only during the period he (Colonel Godwin) was in command.

Camp Oglethorpe Prison, Macon, Ga., Colonel Gibbs commandant, was used during the year 1864 for the confinement of officers, of whom it contained between 1,600 and 1,900. The shelter consisted of a large building used as a hospital, and sheds for the healthier prisoners. There was no complaint of insufficiency of food here, the officers being well supplied with funds and purchasing what they pleased. There was no ill-treatment; the only case was that of an officer who while bathing crossed the dead-line and was shot at and killed by a sentinel. Colonel Gibbs put the man under arrest, but I never learned his fate, the prison being removed at the approach of General Stoneman's troops. The prisoners from Andersonville and Macon, on the approach of the U. S. armies, were brought to Savannah, where they suffered much from exposure and the failure to prepare for their reception, many dying in the cars on the route. For a week after their arrival they had no shelter, being surrounded by guards in the open fields, very many dying in consequence. They were well supplied with provisions at this place. From Savannah they were moved to Camp Lawton, Millen, Ga., Captain Vowles commandant. The prisoners had an abundant supply of wood, water, and provisions, but no shelter, in consequence of which the fatality was very great. The only instance of improper treatment I heard of here was that when an exchange of sick prisoners was agreed upon Captain Vowles was said to have placed the names of such persons as paid for the favor on the list of those who were to be immediately forwarded to Savannah for exchange to the exclusion of some of the sick, who complained bitterly of it. Upon hearing of it General Winder instituted inquiry, but the evidence of prisoners not being acceptable, the charge was not sustained, although $60 paid by a prisoner was recovered from a clerk in Captain Vowles' office. The suspicion was so great against this officer that General Winder declared he should have no such command in the future.

Upon the evacuation of Millen the prisoners were removed to Florence, S. C., Colonel Iverson commandant. This prison was an inclosure of twenty-four acres, eight of them a swamp, through which prisoners had

to pass to obtain water or going to the sinks, which caused an increase of disease and suffering among them. There were between 7,000 and 10,000 men confined here, among whom the fatality was said to have been fully as great in proportion as it had been at Andersonville. At one period there were 1,600 reported sick. The prisoners complained greatly of the harsh and brutal treatment they received from Captain Barrett and Lieutenant Wilson, who had charge of the interior of the prison. They charged these officers with cruel and undeserved punishments, such as lengthened confinement upon bread and water in the guard-house for trivial offenses. Some deaths were reported as the result of their brutality. Lieutenant Cheatham, adjutant, &c., had charge of the searching of the prisoners at their reception, performing this often indecently; was charged with often refusing a receipt for any sums he took from the men excepting small ones, thereby causing the loss of money due many of the prisoners at their departure, at which time Lieutenant Cheatham was absent upon a furlough for thirty days. Colonel Iverson declared, in reply to the indignant demands of the losers, that Lieutenant Cheatham alone was responsible. The prisoners made a report of the above facts to and appealed to General Winder for protection, which application I forwarded to him. He thereupon came to Florence, on the route declaring his determination, if he found the statement true, to remove and punish the parties complained of, and bringing other officers with whom to fill their places. Unfortunately, just as he reached my tent with his staff he was attacked with disease of the heart and died instantly.

I left Florence immediately after this, having charge of the body of General Winder, since which time I have had no connection or communication with the Confederate prisons.

Very respectfully, your obedient servant,

P. CASHMYER.

NEW ORLEANS, *October 13, 1865.*

His Excellency A. JOHNSON, *President:*

J. B. Hood, late general in the rebel Army, is desirous of a personal interview with Mr. Davis to get at some military information in connection with his military career. He has made a full statement to me of his object, which would require an interview of a few minutes. May I respectfully ask your permission for this interview? He has made his application for pardon.

P. H. SHERIDAN,
Major-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 13, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

SIR: You will please inform Mr. Davis that his thanks to the gentlemen who have offered their services as counsel, to wit, Messrs. C. E. Hooker, T. J. Wharton, and F. Anderson, will be communicated to them by the State Department.

I am, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
October 16, 1865.

General E. D. TOWNSEND,
Asst. Adjt. Gen., War Department, Washington, D. C.:

GENERAL: I have the honor to report the prisoners Davis, Clay, and Mitchel to be well to-day. The quarters in Carroll Hall for Clay and Mitchel will be completed to-morrow.

Very respectfully, your obedient servant,
NELSON A. MILES,
Brevet Major-General of Volunteers, Commanding.

[Indorsement]

ADJUTANT-GENERAL'S OFFICE, *October 18, 1865.*

Shown to the Secretary of War, who directs the transfer of Clay and Mitchel to Carroll Hall.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
October 18, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

SIR: Your report of the 16th instant has been received. The Secretary of War directs that the prisoners Clay and Mitchel be transferred to the new quarters prepared for them in Carroll Hall.

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, October 18, 1865—11 a. m.

Major-General SHERIDAN, *Commanding, &c., New Orleans:*

The President declines to permit General Hood to visit Jefferson Davis, and directs you to be notified of his decision in answer to your telegram.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, D. C., *October 19, 1865.*

Brig. Gen. A. B. EATON,
Commissary-General of Subsistence, Washington, D. C.:

GENERAL: In reply to your inquiries in regard to the prison fund made from the savings of rations, I have the honor to inform you that the credit to the fund on the books of the Subsistence Department at the closing of the several military prisons amounted to the following sums, all of which has been transferred to the Subsistence Department, viz:

Newport News	$26,464.63
Point Lookout	544,556.31
Point Lookout Hospital	25,845.49
Alton	33,583.34
Camp Douglas	181,739.96
Hart's Island	21,237.81
Hart's Island Hospital	8.12

Saint Joseph, Mo	$2,019.80
Ship Island	19,983.23
Johnson's Island	107,937.27
Johnson's Island Hospital	1,189.30
Louisville	1,915.98
Camp Morton	149,546.03
Camp Morton Hospital	6,269.89
Rock Island	174,127.17
Rock Island Hospital	7,919.00
Elmira	58,151.54
Camp Chase	120,731.19
Camp Chase Hospital	5,800.77
New Orleans	14,092.56
Wheeling	2,023.65
Fort Scott	253.65
Fort Leavenworth	1,032.28
Kansas City	484.32
Fayetteville	401.23
Jefferson City	41.49
Total	1,507,359.01

There are yet funds at several military prisons, the accounts of which are not yet closed, which will amount to not less than the following sums, viz:

Fort Warren	$8,978.66
Fort McHenry	5,361.12
Saint Louis	2,232.40
Fort Lafayette	1,406.42
Fort Delaware	316,674.10
Little Rock	3,111.28
Total	337,766.98

When the closing accounts are received this credit will be turned over to the Subsistence Department, making the whole amount of surplus prison fund transferred $1,845,125.99.

The prison fund has been used to meet large expenditures which have been made in the purchase of articles necessary for the prisoners in barracks and hospitals and in paying expenses of the prisons, and the amount above stated is what remains after meeting these expenditures.

I am, general, very respectfully, your obedient servant,

W. HOFFMAN,

Brt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WAR DEPARTMENT, *Washington City, October 20, 1865.*

Hon. HUGH MCCULLOCH, *Secretary of the Treasury:*

SIR: I am directed by the Secretary of War to transmit certain sterling bills of exchange captured by the military forces of the United States in the State of Georgia, and found in possession of Jefferson Davis, drawn by the following-named parties, for the sums set opposite their names:

	£	*s.*	*d.*
Josh. Deynoodt	5,000	0	0
Josh. Deynoodt	5,000	0	0
George Campbell	1,500	0	0
C. E. Thorburn	500	0	0
Pollard & Smith	739	1	11
L. W. Kubble	107	15	6
Frank Vizetelly	50	0	0
John Fraser & Co	800	0	0
Total	13,696	17	5

They were turned over to this Department by Lieut. Col. B. D. Pritchard, Fourth Michigan Cavalry.

I have the honor to be, sir, your obedient servant,

THOS. T. ECKERT,
Acting Assistant Secretary of War.

TALLAHASSEE, *October 22, 1865.*

ANDREW JOHNSON, *President of the United States:*

SIR: I feel assured that you will pardon me for again calling your attention to Mr. Yulee and Mr. Allison, political prisoners confined at Fort Pulaski, and Mr. Mallory, confined at Fort Lafayette.

I have not a word to say upon the subject of the political history of Mr. Yulee and Mr. Mallory. Your Excellency knows it as well or better than I do. I have only to remark in regard to them that I think they may both be permitted to return to this State without any injury to its interests. Mr. Yulee is the president of a railroad company whose interests are suffering for the want of his supervision and care. Mr. Allison became *ex officio* Governor of this State on the death of Governor Milton by suicide just before the collapse of the rebellion. He was the president of the Senate, and on the death of the Governor he became *ex officio* Governor until a Governor could be elected. I believe the only gubernatorial act he did was to issue a proclamation ordering an election of a Governor to succeed Governor Milton. He is not a bad man. He has been confined since the 1st of May. I think the people of this State would be much gratified to hear that he has returned to his family. The convention meets here on the 25th instant.

I have the honor to be, very respectfully, your obedient servant,

WM. MARVIN,
Provisional Governor of Florida.

Mr. Mallory has the gout badly, which the dampness of the prison exasperates. His family is in Connecticut and he would like to visit them. I think if he were set at liberty on parole I can be surety for his keeping it.

[First indorsement.]

NOVEMBER 6, 1865.

Respectfully referred to the honorable the Secretary of War.

By order of the President:

R. MORROW,
Secretary.

[Second indorsement.]

WAR DEPARTMENT, *November 7, 1865.*

Respectfully referred to the Judge-Advocate-General for report.

By order of the Secretary of War:

THOS. T. ECKERT,
Acting Assistant Secretary of War.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fortress Monroe, Va., October 23, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Davis, Clay, and Mitchel as well, and to inclose letter from Davis to his wife, which he desires may be forwarded. I would respectfully call your attention to the paragraph inclosed in brackets, namely, "For, say, three months

after I was imprisoned here two hours' sleep, &c." This statement is false in every particular, as I know he rested and slept more than he says. His usual answer on being asked how he had slept was invariably "very well."

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Brevet Major-General of Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., October 24, 1865.

Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army, Washington, D. C.:

GENERAL: I have the honor to inclose herewith a tabular statement of rebel prisoners of war, showing the number on hand at the date of last report, December 31, 1864, the number captured and held in possession since that date, the number exchanged, released, escaped, &c., and the number captured and paroled belonging to the armies of Generals Lee, Johnston, Taylor, Kirby Smith, and others; also, a statement showing the number of Federal troops held by the rebels as prisoners of war and delivered by them for exchange to Federal agents between December 1, 1864, and October 20, 1865. A more detailed report* is in preparation, which will give as far as practicable a full account of all prisoners captured by the enemy during the war, and for the same period the number of prisoners captured by the U. S. forces, the number held at each of the military prisons and the disposition made of them, and all other particulars with regard to them that it may be desirable to place on file. The report will also show the business of the office in connection with other branches of the service.

Very respectfully, your obedient servant,

W. HOFFMAN,
Commissary-General of Prisoners.

[Inclosure.]

Consolidated statement of prisoners of war from January 1 to October 20, 1865.

REBELS.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Number on hand January 1, 1865	.....	.....	4	10	53	73	105	1,119	3,283
Captured and confined from January 1 to October 20, 1865.	.....	1	.....	13	45	64	86	724	1,975
Total	.....	1	4	23	98	137	191	1,843	5,258
Executed	.....	.....	.....	.....	.....	.....	.....	1	.....
Escaped	.....	.....	.....	.....	.....	.....	.....	3	3
Enlisted in U. S. service	.....	.....	.....	.....	.....	.....	.....	.....	.....
Turned over to civil authorities	.....	.....	.....	.....	1	.....	1	1	3
Released on oath of allegiance, paroles, &c.	.....	1	3	20	67	93	129	1,316	3,830
Delivered for exchange as per receipt rolls received.	.....	.....	1	3	23	30	48	427	997
Transferred for exchange, receipt rolls not received.	.....	.....	.....	.....	7	14	13	93	425
Total disposed of	.....	1	4	23	98	137	191	1,841	5,258
Died	.....	.....	1	.....	1	2	2	32	84
Remaining on hand October 20, 1865	.....	.....	.....	.....	.....	.....	.....	2	.....

* See December 6, 1865, p. 821.

Consolidated statement of prisoners of war from January 1 to October 20, 1865—Contd.

REBELS—Continued.

	Non-commissioned officers.	Musicians and privates.	Aggregate of prisoners of war.	Equivalents reduced to privates.	Chaplains.	Medical officers.	Citizens.	Total aggregate.
Number on hand January 1, 1865	7,491	52,263	64,401	89,816	8	117	1,417	65,943
Captured and confined from January 1 to October 20, 1865.	4,558	24,541	32,007	48,205	7	32	828	32,874
Total	12,049	76,804	96,408	138,021	15	149	2,245	98,817
Executed	.....	.....	1	.....	.....	.....	1	2
Escaped	5	53	64	93	.....	.....	17	81
Enlisted in U. S. service	152	1,774	1,926	2,078	.....	.....	29	1,955
Turned over to civil authorities	4	10	20	59	1	.....	174	195
Released on oath of allegiance, paroles, &c.	7,605	48,638	61,702	90,591	10	47	1,683	63,442
Delivered for exchange as per receipt rolls received.	3,324	21,265	26,118	35,592	4	96	198	26,416
Transferred for exchange, receipt rolls not received.	958	5,061	6,571	9,584	....	6	134	6,711
Total disposed of	12,048	76,801	96,402	137,997	15	149	2,236	98,802
Died	599	6,929	.....	.....	1	1	143	.....
Remaining on hand October 20, 1865	1	3	6	.....	....	.....	9	15

PAROLED ARMIES—REBEL.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Army of Northern Virginia, commanded by General R. E. Lee.	1	2	11	27	57	67	166	768	1,291
Army of Tennessee and others, commanded by General J. E. Johnston.	3	2	13	28	105	117	280	1,055	1,779
General M. Jeff. Thompson's Army of Missouri.	.....	.....	.....	1	12	13	24	344	735
Miscellaneous paroles, Department of Virginia.	.....	.....	3	7	21	12	46	246	342
Paroled at Cumberland, Md., and other stations.	.....	.....	.....	2	15	14	43	195	343
Paroled by General McCook in Alabama and Florida.	.....	.....	2	3	14	6	35	161	294
Army of the Department of Alabama, Lieut. Gen. R. Taylor commanding.	.....	1	2	25	120	99	286	1,327	2,371
Army of the Trans-Mississippi Department, General E. K. Smith.	.....	1	6	9	48	43	93	375	805
Paroled in the Department of Washington	.....	.....	.....	1	5	3	6	53	106
Paroled in Virginia, Tennessee, Georgia, Alabama, Louisiana, and Texas.	.....	.....	1	9	42	28	77	344	613
Surrendered at Nashville and Chattanooga, Tenn.	.....	.....	.....	1	13	16	36	214	373
Total	4	6	38	113	452	418	1,092	5,086	9,052

Consolidated statement of prisoners of war from January 1 to October 20, 1865—Contd.

PAROLED ARMIES—REBEL—Continued.

	Non-commissioned officers.	Musicians and privates.	Aggregate of prisoners of war.	Equivalents reduced to privates.	Chaplains.	Medical officers.	Citizens.	Total aggregate.
Army of Northern Virginia, commanded by General R. E. Lee.	4,366	20,660	27,416	.....	51	320	18	27,805
Army of Tennessee and others, commanded by General J. E. Johnston.	4,888	22,274	30,548	.....	41	557	97	31,243
General M. Jeff. Thompson's Army of Missouri.	636	6,195	7,960	.....	1	13	4	7,978
Miscellaneous paroles, Department of Virginia.	736	7,223	8,636	.....	16	193	227	9,072
Paroled at Cumberland, Md., and other stations.	626	8,022	9,260	.....	6	38	73	9,377
Paroled by General McCook in Alabama and Florida.	650	5,142	6,307	.....	....	45	76	6,428
Army of the Department of Alabama, Lieut. Gen. R. Taylor commanding.	5,030	32,596	41,857	.....	25	343	68	42,293
Army of the Trans-Mississippi Department, General E. K. Smith.	1,758	14,411	17,549	.....	11	103	23	17,686
Paroled in the Department of Washington	197	2,975	3,346	.....	5	37	2	3,390
Paroled in Virginia, Tennessee, Georgia, Alabama, Louisiana, and Texas.	1,047	11,673	13,834	.....	3	54	31	13,922
Surrendered at Nashville and Chattanooga, Tenn.	526	3,746	4,925	.....	7	69	28	5,029
Total	20,460	134,917	171,638	.....	166	1,772	647	174,223

FEDERAL PRISONERS.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Received "Paroled for exchange" from January 1 to October 20, 1865.	.....	.....	2	2	8	18	50	462	1,216
Escaped prisoners who have reported	.....	.....	.....	.....	.....	2	3	46	97
Total	.....	.....	2	2	8	20	53	508	1,313

	Non-commissioned officers.	Musicians and privates.	Aggregate of prisoners of war.	Equivalents reduced to privates.	Chaplains.	Medical officers.	Citizens.	Total aggregate.
Received "Paroled for exchange" from January 1 to October 20, 1865.	5,750	23,833	31,341	.....	....	.....	352	31,693
Escaped prisoners who have reported	240	1,288	1,676	.....	....	.....	24	1,700
Total	5,990	25,121	33,017	.....	....	.....	376	33,393

W. HOFFMAN,
Bvt. Brig. Gen., U. S. Army, Commissary-General of Prisoners.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, October 25, 1865.

Hon. JAMES SPEED,
Attorney-General United States, Washington, D. C.:

SIR: By direction of the Secretary of War I have the honor to refer, for examination by you, a letter from Jefferson Davis to his wife and

copy of General Miles' letter forwarding it and calling attention to a statement made therein.*

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *October 26, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States:

SIR: One of the principal prerogatives of your high position is that of mercy and pardon. It becomes still more important in dubious cases, where it is not quite clear whether justice has been done or not. Such one, I regret very much to say, is my duty not only as counsel for the defendant, but as friend of humanity, to lay before Your Excellency to-day.

Captain Wirz, my client, has been tried, and, as I apprehend, condemned to die. In your hand it rests whether this sentence shall be carried out or not. It is true that if you are solely guided by the evidence which will be or has been laid before you, little or no hope is to be entertained; but there is something else which cannot fail to command Your Excellency's regards, and that is the following:

1. That this commission, before which the prisoner has been tried, has in many instances excluded testimony in favor of the prisoner, and, on the other hand, admitted testimony against the prisoner, both in violation of all rules of law and equity. That the whole country knows. Every lawyer in this city and elsewhere has regarded this and the treatment the counsel suffered at the hands of the president of the commission and the judge-advocate with indignation and as an insult to the profession. My former colleagues, Messrs. Hughes, Denver, and Peck, left for that reason, and then I would have followed their example had not the prisoner had my word of honor not to forsake him.

2. The testimony for the prosecution is loose, indefinite, and in the most part contradictory. Before any other court but that military commission it would have been an easy matter to uncover and bring to light a tissue of perjuries [such] as the world has seldom seen. Time will show that this assertion of mine is no empty one.

Captain Wirz was almost a prisoner himself at Andersonville. If permitted we could have proven by our witnesses that at different times he requested to be discharged, or to be sent to the Trans-Mississippi Department away from Andersonville. He took the responsibility of enlarging the stockade against the orders of his superiors, as appears from Colonel Persons' testimony, a witness for the prosecution; and "worked indefatigably" for the benefit of the prisoners. Colonel Persons, commandant of the post, in harmony with Wirz, approved what the latter had done. Both sent remonstrances to Richmond, and the consequence of these remonstrances was that General Winder was sent to Andersonville to stop them. It was Captain Wirz who complained of the bad bread (see his letter published in the testimony); who asked for shoes or leather from the rebel authorities for paroled Union prisoners; who paroled about fifty young Union drummer-boys in order that they might escape the horrors of the stockade; who remonstrated against having so many prisoners sent there; who gave writing material to our boys to prepare a petition for exchange to Washington, and permitted

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* See October 23, p. 769.

six of our men to go North for that purpose in order to see the President and the Secretary of War; and when all hopes for exchange were gone he told Judge Hall, one of the witnesses for the prosecution, that he (Wirz) would wish all the prisoners paroled and set at large, instead of letting them die in the stockade. All that and many other facts prove that Captain Wirz did certainly not conspire to kill the prisoners.

Thirteen cases of acts of personal cruelty and murder alleged by the prosecution to have been committed by Captain Wirz are located in the month of August, 1864. About sixty witnesses (thirty-four for the defense and over twenty for the prosecution) have positively sworn that Captain Wirz was not at Andersonville and Lieutenant Davis in command of the prison during that time. Not a single one has contradicted that statement. That proves sufficiently how much stress is to be laid upon such testimony. Some ten to twelve on both sides swear that he was sick in the latter half of July and the most part of September; that he was fetched in an ambulance from his residence to his office, and was unable to ride on horseback, &c. And almost all the alleged cruelties and murders are said to have been committed in July, August, and September, 1864.

Among the 35,000 prisoners were many bounty-jumpers and bad characters. Some six of them were hung by their own comrades. If I have the Government's patronage, and perhaps the prospect of an office or two (as actually has been the case with some of the witnesses for the prosecution in the Wirz trial), and can also give a promise of safe conduct and perhaps a reward, I do not doubt in the least that among those 500 raiders at Andersonville (as they are styled in the testimony) I shall within four weeks find enough testimony to try, condemn, and hang every member of the Wirz military commission on any charge whatever, provided it is done before such a military commission.

Your Excellency knows me. It is unnecessary to state that nothing but a feeling of humanity urges me to ask you for clemency. No remuneration, but labor and vituperation have been the reward of the counsel in this case. God knows that I would not ask you to do anything which was not right. And therefore let the miserable, crippled, half-dying man, at the worst a tool in the hands of superiors, a subaltern officer who had to obey orders, live out the few remaining days of his life, and do not let our hands be tainted with the blood of this miserable and unfortunate being. I know you will believe me if I, with all my heart, declare that he does not deserve that fate. Spare the cripple! Be merciful!

Yours in haste and with all the old attachment and respect,

LOUIS SCHADE.

BALTIMORE, *October 27, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States of America:

DEAR SIR: Excuse the liberty I take in addressing the following short petition to Your Excellency:

Among the number of those now in confinement for having participated in the late rebellion is Burton N. Harrison, of Mississippi, private secretary to Jefferson Davis. Mr. Harrison occupied the position of assistant professor in the University of Mississippi when that State seceded, and, as would have been the case with most young men, felt highly flattered at the, to him, honorable position which was

offered him by Mr. Davis. Suffice it to say he accepted. Mr. Harrison is a graduate of Yale College, an Old Line Whig, and conservative in his politics, and was esteemed and honored by his classmates and all who knew him for his gentlemanly feeling and high sense of honor. I therefore entreat Your Excellency that that freedom from confinement which has already been granted to so many men of more influence in the political world than he may be granted to him. He is at present, I believe, in Fort Delaware. I address myself to Your Excellency from no desire for notoriety, but from friendship and affection for my friend and classmate, who appears to have been forgotten by his friends. I would add that he is the only son of a widowed mother, to whose support he has always contributed.

Very respectfully, Your Excellency's obedient servant and political well wisher,

C. BOHN SLINGLUFF,
Attorney at Law, Baltimore, Md.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., October 28, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Clay and Mitchel as being well. Davis is suffering from the effects of a boil under his arm.*

I am, general, most respectfully, your obedient servant,
NELSON A. MILES,
Major-General of Volunteers, Commanding.

WAR DEPARTMENT, *Washington City, October 28, 1865.*

Major-General MILES, *Commanding, &c., Fortress Monroe, Va.:*

An order of the President has been forwarded you by mail directing the release of John Mitchel from imprisonment. If he desires it, you may give him transportation to New York by sea on any transport of the Government, free of charge, or transportation to Richmond, if he prefers.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
October 31, 1865.

The PRESIDENT:

Henry Wirz was tried by a military commission convened at Washington, D. C., on the 23d day of August, 1865, by order of the President of the United States, on the following charges and specifications:†

Upon being arraigned the prisoner's counsel submitted the following pleas:

1. That he ought not to be held or tried for any cause by the Government of the United States because, according to the terms of the surrender of

* References to the boil are made in reports up to and including November 1.

† For charges and specifications (here omitted) see General Court-Martial Orders, No. 607, p. 784.

the rebel General Johnston (under whose command he was serving at the time), it was agreed that all officers and men should be permitted to return to their homes, not to be disturbed by the U. S. authorities so long as they observed their obligations and the laws in force where they resided.

2. That he should not be held to trial or in custody because at the time of his arrest he was in the enjoyment of his liberty, and was promised by Captain Noyes, of Major-General Wilson's staff, that he should not be held as a prisoner, but that after giving such verbal information to General Wilson as he was able he should have a safe-conduct to his home, which promise was violated.

3. That the commission had no jurisdiction to try him for the offenses charged; also that he had been on the 21st of August, 1865, arraigned and put on trial before the same tribunal on the same charges, and could not be tried or put to answer a second time therefor. Also that the charges and specifications were too vague and indefinite, and did not make out an offense punishable by the laws of war.

All these pleas were discussed at length on both sides, and were, after deliberation, properly overruled by the commission. A plea of not guilty to both charges and specifications thereto was then made by the prisoner. The investigation of the matters alleged against the prisoner then commenced and continued until the 21st day of October, during which time 148 witnesses for the prosecution and defense were examined, and a large amount of documentary evidence, found in the official papers captured at Andersonville and among the rebel archives at Richmond, was introduced. One of the counsel for the defense then asked for an adjournment for two weeks at least to enable him to prepare an argument. The commission first decided to adjourn ten days, and upon his further petition, twelve days, for this purpose. He, however, declared that it was insufficient time, and thereupon announced that he would submit the case without remark. After an adjournment of four days an elaborate statement of the prisoner was submitted, which was prepared by him with the aid of an able assistant (the chief reporter of the trial, who shows himself familiar with all the material facts), which goes over the whole case in explanation of certain acts averred, and in denial of the proof or truth of all the others. The closing address of the judge advocate immediately followed, and thereafter the court, it appears, having maturely considered the evidence adduced, found the accused, Henry Wirz, as follows:*

It is not necessary, for the purpose of this review, to go into an elaborate discussion of the questions involved in the findings on the first charge. From the document of the proceedings, containing more than 5,000 pages, presenting a mass of evidence bearing upon these questions, no brief summary can be made which would do justice to the subject. The argument of the judge-advocate sets forth an able and exhaustive examination of the material legal points raised and proof established by the trial, and forms a part of the record. It may be relied on as giving a full and just exposition of the matters which entered into the deliberations of the court, and as particularly applicable to this branch of the case, reference is respectfully invited to pages 4838 to 5148. The opinion is expressed that the conspiracy, as described in the findings above recited, was clearly made out, and that the conclusions arrived at by the court could not, in the light of the evidence this record contains, have been avoided. Language fails in

*For finding and sentence (here omitted) see General Court-Martial Orders, No. 607, p. 784.

an attempt to denounce even in faint terms the diabolical combination for the destruction and death, by cruel and fiendishly ingenious processes, of helpless prisoners of war who might fall into their hands, which this record shows was plotted and deliberately entered upon, and, as far as time permitted, accomplished by the rebel authorities and their brutal underlings at Andersonville Prison. Criminal history presents no parallel to this monstrous conspiracy, and from the whole catalogue of infamous devices within reach of human hands, a system for the murder of men more revolting in its details could not have been planned. Upon the heads of those named by the court in its findings the guilt of this immeasurable crime is fixed, a guilt so fearfully black and horrible that the civilized world must be appalled by the spectacle. There remains yet to be noticed the matter involved in the second charge.

The homicides alleged to have been committed under this charge and which the court found were committed, are of four classes. First, those cases of death which resulted from the biting of dogs (specification 2); second, cases of death which resulted from confinement in the stocks and chain gang (specifications 5, 6, and 7); third, cases of prisoners killed by guards pursuant to direct order of Wirz given at the time (specifications 8, 9, 12), and fourth, cases of prisoners killed by Wirz's own hand (specifications 1, 2, and 3).

That all the deaths embraced in these four classes resulted from the causes and in the manner set forth in the specifications is conceived to be very clearly established by the evidence adduced by the prosecution, and it is not deemed necessary, in the absence of any contradictory testimony directly bearing on these instances, to recite the evidence applicable to each, except, it may be, briefly that relating to the fourth class (specifications 1, 2, 3), and some acts of a similar character.

The testimony supporting the first specification is that of Felix de la Baume, a Union soldier, who states that on or about the 8th of July, 1864, he was one of a detachment of prisoners taken to Wirz's headquarters to be enrolled before being sent into the prison; that one of his comrades was attacked with epilepsy, and some of his companions, by permission of the guard, ran to the creek for water; that he, the witness, heard a shot fired, and on turning saw Wirz fire two more, wounding two prisoners, one of whom the witness never saw or heard of afterward, and the other of whom he saw carried up to Wirz's headquarters in a dying condition, the wound being in the breast.

There is also the testimony of George Conway, who states that on or about the 11th of July, 1864, he saw Wirz shoot a Union prisoner within the stockade as he was stooping to pick up his cup which had fallen under the dead-line, and that the man died almost instantly. Which of these two cases (either being, it is conceived, sufficient to sustain the allegation) the court relied on does not, of course, appear.

In support of the second specification, Martin E. Hogan testifies that some time in September, when the prisoners were being removed from Andersonville to Millen, he saw Wirz take a prisoner who was worn out with hunger and disease by the coat collar, and because he could not walk faster, wrench him back and stamp upon him with his boots; that the man was borne past him bleeding from his mouth and nose, and died in a short time.

The third specification is supported by the testimony of George W. Gray, who states that about the middle of September, 1864, he and a comrade named William Stewart, a private belonging to a Minnesota

regiment, went out of the stockade in charge of a guard to carry a dead body, and that after laying it in the dead-house they were on their way back to the stockade, when Wirz rode up to them and asked by what authority they were out there; that Stewart replied they were out there by proper authority, whereupon Wirz drew his revolver and shot Stewart, the ball taking effect in his breast and killing him instantly, and that the guard then took from his body some $20 or $30, which Wirz received and rode away.

Further evidence in regard to Wirz's killing certain prisoners was presented, but the dates given by the witnesses show the murders to have been others than those alleged in the specifications. They will be referred to as illustrating the character of the prisoner and establishing a frequency and repetition of like crimes.

James H. Davidson testified that in April, as he remembered, Wirz came into the stockade one day, and a lame man went up to him and asked him a question, whereupon Wirz turned and shot him, and he died.

Thomas C. Alcoke states that one day (witness seems to have no knowledge or recollection of dates) Wirz came into the stockade, and a man asked him permission to go out and get some fresh air; that Wirz asked him what he meant, and that after a few more words had passed between them Wirz wheeled around, pulled out a revolver, and shot him down, the ball taking effect in his breast and death occurring about three hours afterward. It also appears by this witness that when he remonstrated Wirz told him that he had better look out or he would be put in the same place, and that soon after Wirz came in with a guard and put him in irons.

Hugh R. Snee testified that some time in September, 1864, a party of Union prisoners were to be exchanged, under an arrangement between General Sherman and the rebel Hood; that they were taken from the stockade after dark, as the heat in the day was so great that the men would have fainted; that none but able-bodied men were selected, it being stated when they were called out that any one who could not walk eighteen miles a day would be shot; that notwithstanding this the men were so anxious to escape imprisonment that some too weak to perform the day's travel came out. The witness states that three who belonged to some Western regiments were able to go but a short distance before they fainted and fell out of the ranks, and were pushed one side by the guard; that thereupon a man ran back, and speaking in a voice he thought at the time to be that of Captain Wirz wanted to know why they were there; that they replied they wished to get out of prison, whereupon the man said: "I'll keep you out, God damn you." Witness then heard six pistol shots, followed by a cry as if some one was hurt, and immediately after a rebel lieutenant came past remarking that it was a brutal act; that one of them was dead, and when asked who did it replied, "The captain."

The most prominent features of the defense under this second charge will now be considered. An attempt was made to prove that during the whole of August and parts of July and September the prisoner was sick and confined to his bed, and could not have committed the crimes charged to him in those months. In his statement to the court, however, he made no reference to his absence, doubtless for the reason that the testimony was of too general and loose a character to set up as contradictory to the explicit statements of numerous witnesses as to the dates when the crimes recorded in the finding were committed, corroborated as those statements were by official papers bearing his

signature showing that at different times during those months he was in the performance of his ordinary functions as commandant of the prison. It was claimed that deaths resulting from the use of dogs in the capture of escaped prisoners were not crimes fastened upon Wirz, he not being present at the pursuit and therefore not responsible. But it appears to have been the fact that this use of dogs was under Wirz's especial direction; that the pursuit of prisoners was in many instances instituted under his immediate orders, and in some cases captures were made under his personal supervision. It was also clearly proved that a part of each pack were ferocious dogs, dangerous to life, so as to make it probable that the men on whose track they were sent would be killed. A man overtaken by these beasts and desiring to surrender could not by coming to a stand save his life. The instinct of the dogs was for human blood, and to surrender to them was death. A most shocking illustration will be given. Two soldiers had escaped but were overtaken. The party who captured them returned with but one (who was so mangled that he died), and the chief of the party, known as Turner, exulted in accounting for the other, stating that they allowed the dogs to tear him in pieces, and left him in the woods.

As applying to the question of criminal responsibility involved in this class of homicides, the judge-advocate referred the court to the well-settled principle of law that it is not essential that the hand of the party should be the immediate occasion of the death, but that if it be shown that means were used likely to occasion death, and which did so occasion it, the party using such means is to be held responsible for the consequences. There is but one of this class of homicides which enters into the findings of guilty under this charge. A discussion of the legal points involved is conceived to be needless, inasmuch as the charge is sustained by a conviction on nine other distinct allegations of murder.

As to the deaths resulting from the use of stocks and chain gangs, the defense urged that the men were placed therein for the purposes of discipline; that they were commonly used for such purposes and that their use at this place was attributed to those higher in authority than Wirz, to whose orders he was subject. Upon this point it is to be observed that prisoners were put in these instruments of torture as punishment for having escaped, or having made attempts to escape, from their captors, which attempts, whether successful or not, it was their right and duty as prisoners of war to make. Any punishments inflicted upon them therefor by their captors was a violation of the laws of war, and deaths resulting from such unlawful punishments are murders. This would be the judgment of the law apart from some of the peculiar circumstances which surround these crimes and which so decidedly indicate their true character, prominent among which is the often-declared animus of the prisoner, showing conclusively that in these and kindred barbarities he was deliberately seeking to sacrifice the lives of his victims. It was shown that these stocks and chain gangs were under Wirz's immediate and direct control; that he exercised full authority in committing prisoners to both. While it may be, and probably is, the fact that his action in this matter was sanctioned by the rebel Winder when he was on duty at that place, it does not relieve the prisoner of the responsibility of the results.

Relating to three homicides embraced in the third class, the prisoner makes no special defense except as to the killing of the man known as Chickamauga. He urges in his final statement that his order to the guard to shoot this man was only intended as a menace. It is clear,

however, from the testimony that his order in this case, as in others, was peremptory, and according to his own version it was not a command that could be construed by any subordinate as merely a menace. Moreover, it was distinctly proved to have been accompanied by a threat that he would shoot the guard if the guard did not shoot this crippled soldier. He states further, and it is so found by the record, that the poor man desired to be killed, it would seem, because he was suspected by his comrades of having given information to the prison keepers of some attempts of prisoners to escape from the stockade. This fact, however, in no degree palliates his murderer's guilt.

Of the homicides embraced in the fourth class (those committed directly by his own hand) the prisoner's statement notices but one, that of Stewart, sworn to by the witness Gray. It is asserted that the testimony of this witness is a pure fabrication. There is nothing found in the examination of the record which casts a doubt on his veracity and the court seems to have discovered nothing in his manner on the stand to raise the question of his credibility.

As to all those cases not heretofore specially mentioned the defense insists that the allegations were too vague and indefinite, and that the testimony is insufficient to sustain them, and also that it is altogether improbable that such murders could have been committed without coming to the knowledge of various witnesses who stated that they had never heard of such crimes at Andersonville. No evidence being submitted which contradicts the concurrent and explicit statements of the witnesses, who give positive testimony of their perpetration, these murders are fastened to Wirz's hand.

Many points were raised by both sides relating to the admission of evidence as the trial progressed. These were fully debated at the time. No discussion of them here is deemed necessary, it not being found that competent proof material to the prisoner's defense on the specific offenses of which the court pronounced him guilty, was excluded. Much latitude seems to have been given him; he was allowed to show special acts of kindness to the prisoners and to introduce declarations made by himself in explanation of his acts. Letters and official reports and oral testimony of his personal efforts, offered as indicating his interest in and a care for the comfort of the prisoners, were also admitted. It is shown that every witness asked for by the defense was subpœnaed, except certain rebel functionaries, who, for reasons stated at the time, did not appear on the stand, but the judge-advocate proposed that if the counsel for the defense would set forth according to the common rule, by affidavit, what he expected and had reason to believe any witness who did not so appear would testify, it would be admitted of record that such witnesses would so testify. This proposition was not accepted. One hundred and six witnesses were subpœnaed for the defense, of whom sixty-eight reported, but thirty-nine of these, many of them soldiers of our Army and sufferers at Andersonville, were discharged by the prisoner's counsel without being put upon the stand.

A review of the proceedings leads to the opinion that no prejudice to the legal rights of the prisoner can be successfully claimed to have resulted from any decision which excluded testimony he desired to introduce. The trial is believed to have been conducted in accordance with the regulations governing military courts, and the record presents no error which can be held to invalidate the proceedings. The annals of our race present nowhere and at no time a darker field of crime than that of Andersonville, and it is fortunate for the interests alike of public justice and of historic truth that from this field the veil has been

so faithfully and completely lifted. All the horrors of this pandemonium of the rebellion are laid bare to us in the broad, steady light of the testimony of some 150 witnesses, who spoke what they had seen and heard and suffered, and whose evidence, given under oath and subjected to cross-examination and to every other test which human experience has devised for the ascertaining of truth, must be accepted as affording an immovable foundation for the sentence pronounced.

The proof under the second charge shows that some of our soldiers, for mere attempts to escape from their oppressors, were given to ferocious dogs to be torn in pieces; that others were confined in stocks and chains till life yielded to the torture, and that others were wantonly shot down at Wirz's bidding or by his own hand. Here, in the presence of these pitiless murders of unarmed and helpless men, so distinctly alleged and proved, justice might well claim the prisoner's life.

There remains, however, to be contemplated crimes yet more revolting, for which he and his co-conspirators must be held responsible. The Andersonville prison records (made exhibits in this case) contain a roster of over 13,000 dead, buried naked, maimed, and putrid, in one vast sepulcher. Of these a surgeon of the rebel army who was on duty at this prison testifies that at least three-fourths died of the treatment inflicted on them while in confinement, and a surgeon of our own army, who was a prisoner there, states that four-fifths died from this cause. Under this proof, which has not been assailed, nearly 10,000, if not more, of these deaths must be charged directly to the account of Wirz and his associates. This widespread sacrifice of life was not made suddenly or under the influence of ungovernable passion, but was accomplished slowly and deliberately, by packing upward of 30,000 men like cattle in a fetid pen—a mere cesspool—there to die for need of air to breathe, for want of ground on which to lie, for lack of shelter from sun and rain, and from the slow, agonizing processes of starvation, when air and space and shelter and food were all within the ready gift of their tormentors. This work of death seems to have been a saturnalia of enjoyment for the prisoner, who, amid these savage orgies, evidenced such exultation and mingled with them such nameless blasphemy and ribald jests as at times to exhibit him rather as a demon than a man. It was his continued boast that by these barbarities he was destroying more Union soldiers than rebel generals were butchering on the battle-field. He claimed to be doing the work of the rebellion, and faithfully, in all his murderous cruelty and baseness, did he represent its spirit.

It is by looking upon the cemeteries which have been filled from Libby, Belle Isle, Salisbury, Florence, and Andersonville and other rebel prisons, and recalling the prolonged sufferings of the patriots who are sleeping there, that we can best understand the inner and real life of the rebellion and the hellish criminality and brutality of the traitors who maintained it. For such crimes human power is absolutely impotent to enforce any adequate atonement.

It may be added, in conclusion, that the court before which the prisoner was tried was composed of officers high in rank and eminent for their faithful services and probity of character; that several of them were distinguished for their legal attainments. The investigation of the case was conducted throughout with patience and impartiality, and the conclusion reached is one from which the overwhelming volume of testimony left no escape. It is recommended that the sentence be executed.

J. HOLT,
Judge-Advocate-General.

WAR DEPARTMENT,
Washington City, October 31, 1865—12.10 p. m.

Major-General TERRY, *Richmond:*

You are authorized to release, until further orders, Colonel Northrop, late rebel Quartermaster [Commissary-General], now in close custody, upon his giving his parole to remain in the State of Virginia and report himself to you as often as you may deem proper, and to appear when required to answer any charge that may be preferred against him by order of the President at any time hereafter.

EDWIN M. STANTON,
Secretary of War.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., October 31, 1865.

Col. ED. W. SMITH,
Assistant Adjutant-General, Department of Virginia:

COLONEL: I have the honor, in compliance with Circular 19 from headquarters Department of Virginia, August 5, 1865, to report: The Third Pennsylvania Artillery this morning moved to Camp Hamilton preparatory to being mustered out, they having been relieved by the Battalion Fifth U. S. Artillery.

John Mitchel was released from confinement and furnished transportation to Richmond in pursuance to instructions from the War Department.*

I am, colonel, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

ATTORNEY-GENERAL'S OFFICE,
Washington, D. C., November 1, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: The late Attorney-General, Hon. Edward Bates, has written to this office for information as to the arrest of John B. Clark, a member of the rebel Congress from Missouri, now confined in Fort Jackson, La. If the inquiry be proper, I would be obliged if you would inform me upon what charges the said Clark is detained.

I have the honor to be, very respectfully, your obedient servant,

J. HUBLEY ASHTON,
Assistant Attorney-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
November 3, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In the cases of sundry rebel officials concerned in alleged cruel treatment of Federal prisoners at the South, in violation of the laws of war, I have the honor to return the papers referred to me and to submit thereon as follows:

The principal of these cases has already been before the Bureau, and it has heretofore been reported in regard to several that the facts not

* See October 28, p. 775.

only warranted, but urgently called for, the trial of the parties by a military commission. The testimony evolved in the course of the recent trial of Wirz, and by means of recent investigations in the Southern military departments, fully confirms and strengthens this conclusion, and I have now to formally recommend as follows in all these cases: First. That Lieutenant-Colonel Iverson, Forty-seventh Georgia Volunteers, and his subordinate, Lieutenant (or Captain) Barrett, be arrested and brought to trial for their treatment of our soldiers when prisoners of war at Florence, S. C. The testimony fixes upon them not only a series of the most cruel and inhuman acts of neglect, abuse, assault, robbery, &c., but a considerable number of well-established homicides. In these Barrett was the principal agent, but Iverson, as his commanding officer, was clearly no less criminal. Second. That Maj. John H. Gee should be tried for homicides and acts of similar atrocity committed by him while in charge of the rebel prison at Salisbury, N. C. Of this man it is remarked by Brevet Brigadier-General Heath, in his recent full report, herewith inclosed, "His infamy cannot be reported." Third. That J. W. Duncan be also tried for at least one case of murder and numerous cases of robbery and cruelty, committed by him while commissary-sergeant at Andersonville. The testimony in regard to his crimes, incidentally adduced upon the trial of Wirz, is apparently of the most reliable character. Fourth. That Doctor Nesbit, of Salisbury, N. C., be forthwith brought to trial by military commission at that place, where he is understood to be now in arrest, for the wanton murder of a Union prisoner on the occasion of a slight outbreak at the prison, which occurred last winter. Fifth. That in the case of R. B. Winder, while the evidence at the trial of Wirz was deemed by the court to implicate him in the conspiracy against the lives of all Federal prisoners in rebel hands, no such specific overt acts of violation of the laws of war are as yet fixed upon him as to make it expedient to prefer formal charges and bring him to trial. Sixth. That Captain Alexander, of the Salisbury prison; Lieutenants Wilson, Cheatham, and Mosely, of the Florence prison; Maj. John E. Rylander, Tenth Georgia Battalion, of the Macon prison (in 1862); Colonel Godwin, stationed at Salisbury; Captain Vowles, at Millen, Ga.; Lieutenant Emack and Dick Turner, of the Libby Prison; Capt. G. W. Alexander, of Castle Thunder (in 1862); Capt. John Adams, of a Mississippi regiment, stationed at Memphis in 1861; and one Peacocke, an alleged deserter from the Ninth New York Volunteers and a subordinate of Wirz, at Tuscaloosa in 1862, are all presented by the accompanying testimony as guilty of acts more or less cruel and criminal in their treatment of prisoners of war. None of these cases are yet in a condition for trial, but should, it is thought, be made the subject of such further investigation by the different local commanders as may be practicable.

Besides Winder, Duncan, and Nesbit, it is not known that any of these criminals are in military custody. It is understood that an effort is now being made by the commander of the Department of North Carolina to effect the arrest of Gee, and it is supposed that Iverson and Barrett may be apprehended at Columbus and Augusta, Ga., their respective places of residence. It is conceived that the trial of Duncan, if it be concluded to prosecute him, could be entered upon at an early day.

J. HOLT,
Judge-Advocate-General.

GENERAL COURT-MARTIAL ORDERS, No. 601.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, November 3, 1865.*

I. In the case of John H. Winston, citizen, sentenced by a military commission "that he be imprisoned for the period of five years at hard labor, with ball and chain, at such place as the commanding general may direct," as promulgated in General Orders, No. 70, headquarters Department of the Missouri, Saint Louis, Mo., May 12, 1864, and now undergoing execution of sentence in the penitentiary at Jefferson City, Mo., in view of the circumstances connected with the case, and upon the recommendation of the Judge-Advocate-General, the prisoner will be released from confinement upon taking the oath of allegiance.

II. In the case of Samuel L. Winston, citizen, sentenced by a military commission "to be confined at hard labor for the period of ten years in such prison as the commanding general may direct," as promulgated in General Orders, No. 127, headquarters Department of the Missouri, Saint Louis, Mo., July 21, 1864, and now undergoing execution of sentence in the penitentiary at Jefferson City, Mo., in view of the circumstances connected with the case, and upon the recommendation of the Judge-Advocate-General, the prisoner will be released from confinement upon taking the oath of allegiance.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

SPECIAL ORDERS, No. 581.

WAR DEPT., ADJT. GENERAL'S OFFICE, *Washington, November 3, 1865.*

* * * * * * *

20. Bvt. Brig. Gen. William Hoffman, colonel Third U. S. Infantry, is hereby relieved from duty as Commissary-General of Prisoners, and will proceed to join his regiment in the Military Division of the Mississippi. Maj. Gen. E. A. Hitchcock, U. S. Volunteers, will take charge of the records of the Commissary-General of Prisoners, relieving Brevet Brigadier-General Hoffman.

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By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, *November 3, 1865.*

J. HUBLEY ASHTON, Esq., *Assistant Attorney-General:*

SIR: I am instructed by the Secretary of War to inform you, in reply to your communication of the 1st instant, that John B. Clark was arrested for rebellion and treason, but that he has been since released on his parole.

Very respectfully, your obedient servant,

THOS. T. ECKERT,
Acting Assistant Secretary.

GENERAL COURT MARTIAL ORDERS, No. 607.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, November 6, 1865.*

I. Before a military commission which convened at Washington, D. C., August 23, 1865, pursuant to paragraph 3, Special Orders, No.

453, dated August 23, 1865, and paragraph 13, Special Orders, No. 524, dated October 2, 1865, War Department, Adjutant-General's Office, Washington, and of which Maj. Gen. Lewis Wallace, U. S. Volunteers, is president, was arraigned and tried—

Henry Wirz.

CHARGE I: Maliciously, willfully, and traitorously, and in aid of the then existing armed rebellion against the United States of America, on or before the 1st day of March, A. D. 1864, and on divers other days between that day and the 10th day of April, 1865, combining, confederating, and conspiring, together with John H. Winder, Richard B. Winder, Joseph [Isaiah H.] White, W. S. Winder, R. R. Stevenson, and others unknown, to injure the health and destroy the lives of soldiers in the military service of the United States, then held and being prisoners of war within the lines of the so-called Confederate States, and in the military prisons thereof, to the end that the armies of the United States might be weakened and impaired, in violation of the laws and customs of war.

Specification.—In this, that he, the said Henry Wirz, did combine, confederate, and conspire with them, the said John H. Winder, Richard B. Winder, Joseph [Isaiah H.] White, W. S. Winder, R. R. Stevenson, and others whose names are unknown, citizens of the United States aforesaid, and who were then engaged in armed rebellion against the United States, maliciously, traitorously, and in violation of the laws of war, to impair and injure the health and to destroy the lives—by subjecting to torture and great suffering; by confining in unhealthy and unwholesome quarters; by exposing to the inclemency of winter and to the dews and burning sun of summer; by compelling the use of impure water; and by furnishing insufficient and unwholesome food—of large numbers of Federal prisoners, to wit, the number of 30,000 soldiers in the military service of the United States of America, held as prisoners of war at Andersonville, in the State of Georgia, within the lines of the so-called Confederate States, on or before the 1st day of March, A. D. 1864, and at divers times between that day and the 10th day of April, A. D. 1865, to the end that the armies of the United States might be weakened and impaired, and the insurgents engaged in armed rebellion against the United States might be aided and comforted. And he, the said Henry Wirz, an officer in the military service of the so-called Confederate States, being then and there commandant of a military prison at Andersonville, in the State of Georgia, located, by authority of the so-called Confederate States, for the confinement of prisoners of war, and, as such commandant, fully clothed with authority, and in duty bound to treat, care, and provide for such prisoners held as aforesaid as were or might be placed in his custody according to the law of war, did, in furtherance of such combination, confederation, and conspiracy, and incited thereunto by them, the said John H. Winder, Richard B. Winder, Joseph [Isaiah H.] White, W. S. Winder, R. R. Stevenson, and others whose names are unknown, maliciously, wickedly, and traitorously confine a large number of such prisoners of war, soldiers in the military service of the United States, to the amount of 30,000 men, in unhealthy and unwholesome quarters, in a close and small area of ground wholly inadequate to their wants and destructive to their health, which he well knew and intended; and, while there so confined during the time aforesaid, did, in furtherance of his evil design, and in aid of the said conspiracy, willfully and maliciously neglect to furnish tents, barracks, or other shelter sufficient for their protection from the inclemency of winter and the dews and burning sun of summer; and with such evil intent did take, and cause to be taken, from them their clothing, blankets, camp equipage, and other property of which they were possessed at the time of being placed in his custody; and, with like malice and evil intent, did refuse to furnish, or cause to be furnished, food either of a quality or quantity sufficient to preserve health and sustain life; and did refuse and neglect to furnish wood sufficient for cooking in summer and to keep the said prisoners warm in winter; and did compel the said prisoners to subsist upon unwholesome food, and that in limited quantities entirely inadequate to sustain health, which he well knew; and did compel the said prisoners to use unwholesome water, reeking with the filth and garbage of the prison and prison guard, and the offal and drainage of the cookhouse of said prison, whereby the prisoners became greatly reduced in their bodily strength, and emaciated and injured in their bodily health; their minds impaired and their intellects broken; and many of them, to wit, the number of 10,000, whose names are unknown, sickened and died by reason thereof, which he, the said Henry Wirz, then and there well knew and intended; and, so knowing and evilly intending, did refuse and neglect to provide proper lodgings, food, or nourishment for the sick, and necessary medicine and medical attendance for the restoration of their health; and did knowingly, willfully, and maliciously, in furtherance of his evil designs, permit them to languish and die from want of care and proper treatment. And the said Henry Wirz, still pursuing his evil purpose, did permit to remain in

the said prison, among the emaciated sick and languishing living, the bodies of the dead, until they became corrupt and loathsome and filled the air with fetid and noxious exhalations, and thereby greatly increased the unwholesomeness of the prison, insomuch that great numbers of said prisoners, to wit, the number of 1,000, whose names are unknown, sickened and died by reason thereof. And the said Henry Wirz, still pursuing his wicked and cruel purpose, wholly disregarding the usages of civilized warfare, did, at the time and place aforesaid, maliciously and willfully subject the prisoners aforesaid to cruel, unusual, and infamous punishment upon slight, trivial, and fictitious pretenses, by fastening large balls of iron to their feet, and binding large numbers of the prisoners aforesaid closely together with large chains around their necks and feet, so that they walked with the greatest difficulty—and, being so confined, were subjected to the burning rays of the sun, often without food or drink for hours, and even days—from which said cruel treatment large numbers, to wit, the number of 100, whose names are unknown, sickened, fainted, and died. And he, the said Wirz, did further cruelly treat and injure said prisoners by maliciously confining them within an instrument of torture called the "stocks," thus depriving them of the use of their limbs, and forcing them to lie, sit, and stand for many hours without the power of changing position, and being without food or drink, in consequence of which many, to wit, the number of thirty, whose names are unknown, sickened and died. And he, the said Wirz, still wickedly pursuing his evil purpose, did establish and cause to be designated within the prison inclosure containing said prisoners, a "dead-line," being a line around the inner face of the stockade or wall inclosing said prison, and about twenty feet distant from and within said stockade; and having so established said dead-line, which was in many places an imaginary line, and in many other places marked by insecure and shifting strips of boards nailed upon the top of small and insecure stakes or posts, he, the said Wirz, instructed the prison guard stationed around the top of said stockade to fire upon and kill any of the prisoners aforesaid who might touch, fall upon, pass over or under or across the said "dead-line." Pursuant to which said orders and instructions, maliciously and needlessly given by said Wirz, the said prison guard did fire upon and kill a large number of said prisoners, to wit, the number of about 300. And the said Wirz, still pursuing his evil purpose, did keep and use ferocious and bloodthirsty beasts, dangerous to human life, called bloodhounds, to hunt down prisoners of war aforesaid who made their escape from his custody, and did then and there willfully and maliciously suffer, incite, and encourage the said beasts to seize, tear, mangle, and maim the bodies and limbs of said fugitive prisoners of war, which the said beasts, incited as aforesaid, then and there did, whereby a large number of said prisoners of war, who, during the time aforesaid, made their escape and were recaptured, and were, by the said beasts then and there cruelly and inhumanly injured, insomuch that many of said prisoners, to wit, the number of about fifty died. And the said Wirz, still pursuing his wicked purpose, and still aiding in carrying out said conspiracy, did use and cause to be used, for the pretended purposes of vaccination, impure and poisonous vaccine matter, which said impure and poisonous matter was then and there, by the direction and order of said Wirz, maliciously, cruelly, and wickedly deposited in the arms of many of said prisoners, by reason of which large numbers of them, to wit, 100, lost the use of their arms, and many of them, to wit, about the number of 200, were so injured that they soon thereafter died. All of which he, the said Henry Wirz, well knew and maliciously intended, and in aid of the then existing rebellion against the United States, with the view to assist in weakening and impairing the armies of the United States, and in furtherance of the said conspiracy and with the full knowledge, consent, and connivance of his co-conspirators aforesaid, he, the said Wirz, then and there did.

CHARGE 2: Murder, in violation of the laws and customs of war.

Specification 1.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 8th day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody, as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier thereafter, to wit, on the 9th day of July, A. D. 1864, died.

Specification 2.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of September, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did jump upon, stamp, kick, bruise, and otherwise injure with the heels of his boots, a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, of which said stamping, kicking, and bruising, maliciously done and inflicted by the said Wirz, he, the said soldier, soon thereafter, to wit, on the 20th day of September, A. D. 1864, died.

Specification 3.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 13th day of June, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz, in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier immediately, to wit, on the day aforesaid, died.

Specification 4.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 30th day of May, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier, on the 30th day of May, A. D. 1864, died.

Specification 5.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of August, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did confine and bind with an instrument of torture called "the stocks," a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, in consequence of which such cruel treatment, maliciously and murderously inflicted as aforesaid, he, the said soldier, soon thereafter, to wit, on the 30th day of August, A. D. 1864, died.

Specification 6.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of February, 1865, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did confine and bind within an instrument of torture called "the stocks," a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, in consequence of which said cruel treatment, maliciously and murderously inflicted as aforesaid, he, the said soldier, soon thereafter, to wit, on the 6th day of February, A. D. 1865, died.

Specification 7.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of

Georgia, on or about the 20th day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did fasten and chain together several persons, soldiers, belonging to the Army of the United States, in his, the said Henry Wirz's, custody as prisoners of war, whose names are unknown, binding the necks and feet of said prisoners closely together, and compelling them to carry great burdens, to wit, large iron balls chained to their feet, so that, in consequence of the said cruel treatment inflicted upon them by the said Henry Wirz as aforesaid, one of said soldiers, a prisoner of war as aforesaid, whose name is unknown, on the 25th day of July, A. D. 1864, died.

Specification 8.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 15th day of May, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Henry Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the musket aforesaid, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 9.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 10.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of August, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 11.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did cause, incite, and urge certain ferocious and bloodthirsty animals, called bloodhounds, to pursue, attack, wound, and tear in pieces a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in consequence thereof the said bloodhounds did then and there, with the knowledge, encouragement, and instigation of him, the said Wirz, maliciously and murderously given by

him, attack and mortally wound the said soldier, in consequence of which said mortal wound he, the said prisoner, soon thereafter, to wit, on the 6th day of July, A. D. 1864, died.

Specification 12.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 27th day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket, of which said mortal wound he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 13.—In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 3d day of August, 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, and with a pistol called a revolver, then and there held in the hands of the said Wirz, did beat and bruise said soldier upon the head, shoulders, and breast, inflicting thereby mortal wounds, from which said beating and bruising aforesaid, and mortal wounds caused thereby, the said soldier soon thereafter, to wit, on the 4th day of August, A. D. 1864, died.

To which charges and specifications the accused, Henry Wirz, pleaded not guilty.

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Henry Wirz, as follows:

Charge I.

Of the specification, guilty, after amending said specification to read as follows:

In this, that he, the said Henry Wirz, did combine, confederate, and conspire with them, the said Jefferson Davis, James A. Seddon, Howell Cobb, John H. Winder, Richard B. Winder, Isaiah H. White, W. S. Winder, W. Shelby Reed, R. R. Stevenson, S. P. Moore, [W. J. W.] Kerr (late hospital steward at Andersonville), James W. Duncan, Wesley W. Turner, Benjamin Harris, and others whose names are unknown, citizens of the United States aforesaid, and who were then engaged in armed rebellion against the United States, maliciously, traitorously, and in violation of the laws of war, to impair and injure the health and to destroy the lives—by subjecting to torture and great suffering; by confining in unhealthy and unwholesome quarters; by exposing to the inclemency of winter and to the dews and burning sun of summer; by compelling the use of impure water, and by furnishing insufficient and unwholesome food—of large numbers of Federal prisoners, to wit, the number of about 45,000 soldiers in the military service of the United States of America, held as prisoners of war at Andersonville, in the State of Georgia, within the lines of the so-called Confederate States, on or before the 27th day of March, A. D. 1864, and at divers times between that day and the 10th day of April, A. D. 1865, to the end that the armies of the United States might be weakened and impaired, and the insurgents engaged in armed rebellion against the United States might be aided and comforted. And he, the said Henry Wirz, an officer in the military service of the so-called Confederate States, being then and there commandant of a military prison at Andersonville, in the State of Georgia, located by authority of the so-called Confederate States for the confinement of prisoners of war, and as such commandant, fully clothed with authority, and in duty bound to treat, care, and provide for such prisoners, held as aforesaid, as were or might be placed in his custody, according to the law of war, did, in furtherance of such combination, confederation, and conspiracy, maliciously, wickedly, and traitorously confine a large number of prisoners of war, soldiers in the military service of the United States, to the number of about

45,000 men, in unhealthy and unwholesome quarters, in a close and small area of ground wholly inadequate to their wants and destructive to their health, which he well knew and intended; and, while there so confined during the time aforesaid, did, in furtherance of his evil design, and in aid of the said conspiracy, willfully and maliciously neglect to furnish tents, barracks, or other shelter sufficient for their protection from the inclemency of winter and the dews and burning sun of summer; and with such evil intent did take, and cause to be taken, from them, their clothing, blankets, camp equipage, and other property of which they were possessed at the time of being placed in his custody; and, with like malice and evil intent, did refuse to furnish, or cause to be furnished, food either of a quality or quantity sufficient to preserve health and sustain life; and did refuse and neglect to furnish wood sufficient for cooking in summer and to keep the said prisoners warm in winter; and did compel the said prisoners to subsist upon unwholesome food, and that in limited quantities, entirely inadequate to sustain health, which he well knew; and did compel the said prisoners to use unwholesome water, reeking with the filth and garbage of the prison and prison guard and the offal and drainage of the cook-house of said prison, whereby the prisoners became greatly reduced in their bodily strength, and emaciated and injured in their bodily health; their minds impaired and their intellects broken; and many of them, to wit, about the number of 10,000, whose names are unknown, sickened and died by reason thereof, which he, the said Henry Wirz, then and there well knew and intended; and, so knowing and evilly intending, did refuse and neglect to provide proper lodgings, food, or nourishment for the sick, and necessary medicine and medical attendance for the restoration of their health; and did knowingly, willfully, and maliciously, in furtherance of his evil designs, permit them to languish and die from want of care and proper treatment. And the said Henry Wirz, still pursuing his evil purposes, did permit to remain in the said prison among the emaciated sick and languishing living, the bodies of the dead until they became corrupt and loathsome, and filled the air with fetid and noxious exhalations, and thereby greatly increased the unwholesomeness of the prison, insomuch that great numbers of said prisoners, whose names are unknown, sickened and died by reason thereof. And the said Henry Wirz, still pursuing his wicked and cruel purpose, wholly disregarding the usages of civilized warfare, did, at the time and place aforesaid, maliciously and willfully subject the prisoners aforesaid to cruel, unusual, and infamous punishment, upon slight, trivial, and fictitious pretenses, by fastening large balls of iron to their feet, and binding numbers of the prisoners aforesaid closely together with large chains around their necks and feet, so that they walked with the greatest difficulty, and being so confined were subjected to the burning rays of the sun, often without food or drink for hours, and even days, from which said cruel treatment numbers, whose names are unknown, sickened, fainted, and died. And he, the said Wirz, did further cruelly treat and injure said prisoners by maliciously tying them up by the thumbs, and willfully confining them within an instrument of torture called "the stocks," thus depriving them of the use of their limbs, and forcing them to lie, sit, and stand for many hours without the power of changing position, and being without food or drink, in consequence of which many, whose names are unknown, sickened and died. And he, the said Wirz, still wickedly pursuing his evil purpose, did establish, and cause to be designated within the prison inclosure containing said prisoners, a "dead-line," being a line around the inner face of the stockade or wall inclosing said prison, and about twenty feet distant from and within said stockade; and having so established said dead-line, which was in some places an imaginary line, and in other places marked by insecure and shifting strips of boards, nailed upon the top of small and insecure stakes or posts, he, the said Wirz, instructed the prison guard stationed around the top of said stockade to fire upon and kill any of the prisoners aforesaid who might fall upon, pass over or under or across the said dead-line; pursuant to which said orders and instructions, maliciously and needlessly given by said Wirz, the said prison guard did fire upon and kill a number of said prisoners. And the said Wirz, still pursuing his evil purpose, did keep and use ferocious and bloodthirsty dogs, dangerous to human life, to hunt down prisoners of war aforesaid who made their escape from his custody; and did then and there willfully and maliciously suffer, incite, and encourage the said dogs to seize, tear, mangle, and maim the bodies and limbs of said fugitive prisoners of war, which the said dogs, incited as aforesaid, then and there did, whereby a number of said prisoners of war, who, during the time aforesaid, made their escape and were recaptured, died. And the said Wirz, still pursuing his wicked purpose, and still aiding in carrying out said conspiracy, did cause to be used for the pretended purposes of vaccination, impure and poisonous vaccine matter, which said impure and poisonous matter was then and there, by the direction and order of said Wirz, maliciously, cruelly, and wickedly deposited in the arms of many of said prisoners, by reason of which large numbers of them lost the use of their arms, and many of them were so injured that they soon thereafter died. All of which he, the said Henry Wirz, well knew and maliciously intended, and in aid of the then existing rebellion

against the United States, with a view to assist in weakening and impairing the armies of the United States, and in furtherance of the said conspiracy, and with the full knowledge, consent, and connivance of his co-conspirators aforesaid, he, the said Wirz, then and there did.

Of the charge, guilty, after amending said charge to read as follows:

Maliciously, willfully, and traitorously, and in aid of the then existing armed rebellion against the United States of America, on or before the 27th day of March, A. D. 1864, and on divers other days between that day and the 10th day of April, A. D. 1865, combining, confederating, and conspiring, together with Jefferson Davis, James A. Seddon, Howell Cobb, John H. Winder, Richard B. Winder, Isaiah H. White, W. S. Winder, W. Shelby Reed, R. R. Stevenson, S. P. Moore, [W. J. W.] Kerr (late hospital steward at Andersonville), James W. Duncan, Wesley W. Turner, Benjamin Harris, and others unknown, to injure the health and destroy the lives of soldiers in the military service of the United States, then held and being prisoners of war within the lines of the so-called Confederate States, and in the military prisons thereof, to the end that the armies of the United States might be weakened and impaired, in violation of the laws and customs of war.

Charge II.

Of the first specification, guilty, adding the words "or about" immediately before the phrase "the 9th day of July."

Of the second specification, guilty.

Of the third specification, guilty, after striking out "June" and inserting instead "September."

Of the fourth specification, not guilty.

Of the 5th specification, guilty, after striking out the phrase "on the 30th day" and inserting instead the phrase "on or about the 25th day."

Of the sixth specification, guilty, after striking out the word "1st" and inserting "15th," and also striking out the phrase "on the 6th day" and inserting instead the phrase "on or about the 16th day."

Of the seventh specification, guilty, after striking out the word "20th" and inserting instead the word "1st," and also after inserting "or about" immediately before the phrase "the 25th day."

Of the eighth specification, guilty.

Of the ninth specification, guilty.

Of the tenth specification, not guilty.

Of the eleventh specification, guilty, after striking out the word "1st" and inserting instead the word "6th;" after striking out also the phrase "incite and urge" and the phrase "encouragement and instigation" and by adding the words "or about" after the word "on," where it occurs in the specification; and also after striking out the phrase "animals called bloodhounds" and inserting the word "dogs;" and also striking out the word "bloodhounds" where it afterward occurs and insert the word "dogs;" and also striking out the words "given by him."

Of the twelfth specification, guilty.

Of the thirteenth specification, not guilty.

Of the charge, guilty.

SENTENCE.

And the court does therefore sentence him, Henry Wirz, to be hanged by the neck till he be dead at such time and place as the President of the United States may direct, two-thirds of the members of the court concurring herein.

And the court also finds the prisoner, Henry Wirz, guilty of having caused the death, in manner as alleged in specification 11, to charge 2, by means of dogs, of three prisoners of war in his custody, and soldiers of the United States, one occurring on or about the 15th day of May, 1864; another occurring on or about the 11th day of July, 1864; another occurring on or about the 1st day of September, 1864; but which finding, as here expressed, has not and did not enter into the sentence of the court as before given.

II. The proceedings, finding, and sentence in the foregoing case having been submitted to the President of the United States, the following are his orders:

EXECUTIVE MANSION, *November 3, 1865.*

The proceedings, finding, and sentence of the court in the within case are approved, and it is ordered that the sentence be carried into execution by the officer commanding the Department of Washington on Friday the 10th day of November, 1865, between the hours of 6 o'clock a. m. and 12 o'clock noon.

ANDREW JOHNSON,
President.

III. Maj. Gen. C. C. Augur, commanding the Department of Washington, is commanded to cause the foregoing sentence, in the case of Henry Wirz, to be duly executed, in accordance with the President's order.

IV. The military commission of which Maj. Gen. Lewis Wallace, U. S. Volunteers, is president is hereby dissolved.*

By command of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON CITY, *November 8, 1865—10 p. m.*

The PRESIDENT:

SIR: I advise you as a friend, and in the name of God, to reprieve Wirz, and then pardon him—at least commute to imprisonment for life, which probably will not be long. Mercy will become you before the people; it will be acceptable to God. The praise of the vulgar, who thirst for his blood, will be no honor to you. Wirz is a poor, sick, suffering man. As to his culpability I think it limited. He had the great responsibility of retaining 40,000 restless men, and if they had escaped he would have been shot by the desperate secesh gubernatives. As to Wirz's hard speeches, thousands of men who speak thus are not cruel—often have traits of kindness. Again, I advise you, Mr. President, to be merciful. It will be safest, I think, for your conscience in those dark days that are sure to come to you, as they come to every man at last. Wirz is a miserable man. Let him not in friendship be singled out for the "wrath of the law." I never saw Wirz, nor any one related to him, and I have no voice in his behalf. I am a Northern man and a Union man, striving hard for it during the whole of the war at much expense, and without any reward, or wishing for any.

I am, sir, your friend, ESTWICK EVANS.

WASHINGTON CITY, *November 9, 1865—12 m.*

Mr. PRESIDENT:

SIR: I sent you a letter this morning, dated last evening, and indorsed, "Very important." I pray you to open it. The course I suggest would strike happily upon the ear of the nation as a whole—now whole—and upon the world at large. Such unexpected clemency would be like the "dew of Hermon," speaking of the charity of God. Remember, sir, that Wirz is one lone, feeble man, and no shining mark. The law can gain nothing by his execution, but humanity and pity, broader than the law, can gather laurels outside of it. And forget not that the dead have already forgiven him in advance. And it should be borne in mind that war is not civil life. It is rough and cruel, and thousands even of our own soldiery have not been too merciful. That God may guide you is my prayer.

Your friend, ESTWICK EVANS.

WASHINGTON, D. C., *November 9, 1865.*

His Excellency the PRESIDENT OF THE UNITED STATES:

In the annals of civil war there is known to me no greater conception of atrocity than the prison pen at Andersonville, Ga. It could

*For summary of the proceedings, &c., of the trial of Henry Wirz, see Executive Document No. 23, House of Representatives, Fortieth Congress, second session.

have only been conceived and countenanced by hearts and souls foreign to every principle of Christianity and devoid of any affinity for republican institutions. Who were the conceivers? Who selected the most depraved objects of humanity to carry out most hellish designs? Was it Henry Wirz, condemned to be hung to-morrow? Your Excellency will bear me out it was not, and will admit that he was only the detestable tool of monsters in human form. Shall the hand suffer for the arm that wielded it, for the soul and mind that controlled its ultimatum of crime? Man can punish the body; God alone can call the soul to account. Your Excellency can cut off one of the many hands which were guilty of crime at Andersonville, but can surely never expect to reach those who conceived these horrors and retained in position the perpetrators. Henry Wirz, born of most estimable parents, reared and nurtured in your great and generous Republic, a husband and a father, whose wife and children are natives thereof, this abject being, born in old Switzerland, proverbial for magnanimity toward enemies, and where a Congress having for its special object the amelioration of the condition of prisoners of war was first conceived, must he be hung? Must his already ebbing life become the sacrifice for deeds which he had purposely been placed and retained in power to perform? Does the great body of the American people demand that to the deplorable multitude of widows and orphans caused by the late sinful rebellion, another widow, other orphans shall be added? Oh, no, it cannot be. Your own magnanimous heart tells you so. The spirit of Christianity pleads for the mother and her children, and justice will bide its time as it does in all wickedness on earth.

Thrilled as I am with horror when the bare name of Andersonville is mentioned, my heart is no less thrilled when I think of the innocent widow and orphan who see the constant specter of a husband and father on the gallows before them.

For the credit of the two Republics who gave birth and fostered this errant child, Henry Wirz, if in Your Excellency's judgment, tempered with the mercy of our Redeemer upon the cross, you can possibly spare this additional sacrifice of life, I beseech you to do so by commuting the sentence of Henry Wirz to solitary confinement for life. The harrowing thoughts which must then constantly be his companions will inflict a greater and far more impressive penalty for any crimes he may be guilty of against fellow-man than death in his present condition.

Be assured, Your Excellency, that I plead for the life of Wirz as I would for the man who had murdered my brother, and that whatever action you may take in the matter now I feel confident will be the result of prayerful thought and judgment sought at the throne of the Judge of Judges.

I have the honor to remain, Your Excellency's most obedient servant, the consul-general of Switzerland,

JOHN HITZ.

Mr. PRESIDENT:

I have not been able to see you privately. I shall certainly not ask you to do anything which is not right and proper. But still I beseech you to see me for but a few minutes. My well-known attachment toward you lets me hope that you will not refuse me. Be so kind and permit me to see you.

LOUIS SCHADE.

EXECUTIVE OFFICE, *Washington, D. C., November 9, 1865.*

Governor O. P. MORTON, *Indianapolis, Ind.:*

Your letter of the 6th instant received.* You will see an explanation in a few days published why Mr. Davis has not been brought to trial, which will I trust be satisfactory.

ANDREW JOHNSON,
President.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., November 10, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I respectfully recommend the release of J. B. Clark, ex-Confederate Senator from Missouri, now confined at Fort Jackson.

He is not in good health and is very despondent. His mind is becoming very much affected by anxiety for his family and himself.

P. H. SHERIDAN,
Major-General, U. S. Army.

HEADQUARTERS DEPARTMENT OF WASHINGTON,
Washington, D. C., November 11, 1865.

ADJUTANT-GENERAL OF THE ARMY:

SIR: I have the honor to report that the sentence and orders of the President in case of Henry Wirz, as promulgated in General Court-Martial Orders, No. 607, dated War Department, Adjutant-General's Office, Washington, November 6, 1865, have been duly executed, between the hours of 10 and 11 a. m. yesterday, November 10, and his body has been interred by the side of "Atzerodt" in the "Arsenal grounds."

I am, general, very respectfully, your obedient servant,

C. C. AUGUR,
Major-General of Volunteers, Commanding Department.

CAHABA, ALA., *November 12, 1865.*

Col. D. W. MAGEE, *Commanding Post of Selma, Selma Ala.:*

SIR: In reference to the Capt. Hiram S. Hanchett case I beg to inform you that I have investigated the matter to the best of my knowledge, having conversed with the prominent members of the town council of this place. I am prepared to give their testimony as given to me in the case; persons who are familiar with the matter, and persons whose testimony can be relied upon in it, and which goes to show that Mr. George W. Hanchett's statement to the Secretary of War is not far from being correct. Concerning the jailer, a Mr. G. G. Ogletree, of this place, who, as represented, being the man who invited Captain H. to breakfast with him, has been misrepresented. He was not in Cahaba at the time. It was a Mr. J. A. Haweth, a member of the town council at the time. He states that at or near the time of the Wilson raid into Selma Colonel Jones got frightened and fled across the Alabama River to the country, and that the next morning after his flight the

* Not found.

town council met and agreed upon the release of the prisoners, Captain H., with the rest, who was at that time, as represented, confined in the jail, having had charges preferred against him for being a spy by Jones. Upon his release from jail Mr. Haweth insisted upon his going to breakfast with him, which the Captain did, and that while at the breakfast table Lieutenant (not Captain) Jones, adjutant, and three other men came with orders from Jones and took him away, which is the last he ever saw of him; but he is confident of his own mind that Jones never took him farther than two miles from the town before he disposed of him, and that he (Jones) never went near Demopolis, as he represents to have done, as the testimony of Mr. A. B. Griffin, who is at present residing in this place [shows]. He (Griffin) states that he was notified by Jones (he being in the Bureau of Exchange, at Demopolis) that Captain Hanchett had been sent there for exchange, but he (Griffin) never received him, and that he can with some little time produce the records connected with that office. Who this Lieutenant Wilson (as represented by Jones) is he knows nothing of and never to his knowledge heard of him. He is of the same opinion as Haweth that Jones never took him near Demopolis. I will here give the names of prominent men of the place whose testimony corresponds with Haweth's in the case: Mr. Robert J. Travers and Mr. J. Sadler, both of whom I have conversed with upon the subject. Haweth remembers the names of two of the men who were with Jones, adjutant, when Captain Hanchett was demanded from the breakfast table. One was a Mr. P. B. Vaughn, a doctor, who is at present residing near Demopolis, and the other Phelin Vaughn, jr., by name, and residing near the place, and whose testimony I have not been able to ascertain, he keeping out of the way since the attempt to arrest Jones last summer; he, it is said, can be found at any time. Doctor Whitfield, of Demopolis, I learn, was here at the time; but what he knows in the case I do not know. There was also another doctor tending on the prisoner at the time by the name of J. S. Dean; he, as I understand, is at present residing in New Hampshire, what part I am not able to ascertain. Having given the testimony of persons that know something about the affair, and persons who are willing to give all the aid in their power to bring the guilty to justice, I am in the belief that Captain Hanchett was foully dealt with and put to death either by Jones and his adjutant, his orders, or by his knowledge. It is the belief of citizens of Cahaba that Jones can be found in New Orleans, La. Having stated all the facts concerning the case in my power to find out I will continue it no further. Hoping that the report may prove satisfactory, I am,

Very respectfully, your obedient servant,

W. BOGGS,
Comdg. Company K, Forty-seventh Illinois Infty.

P. S.—Inclosed you will find the papers as requested to be returned.

WAR DEPARTMENT, *Washington City, November 13, 1865.*

Major-General SHERIDAN, *New Orleans:*

You are authorized to release J. B. Clark, a prisoner confined, by order of the President, in Fort Jackson.

EDWIN M. STANTON,
Secretary of War.

WASHINGTON, *November 14, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: With this I hand you a statement, &c., of the facts and reasons for asking from you the discharge from confinement of Mr. Winder. I take this mode, knowing the extreme value of your time, which, if irregular, you will please excuse from the motive. I will be at the Department to-morrow and next day, with the hope of receiving an early decision from you.

With high respect, I am, your obedient servant,

WM. LINN BROWN,
Of Counsel.

[Inclosure.]

WASHINGTON, *November 13, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: Having visited Richard Bagley Winder, a prisoner in the state Capitol Prison, under the pass you so promptly caused to be issued to me as his counsel, I have the honor to address you requesting his release, from the following facts, which you will find in the affidavit inclosed, and also for the following reasons:

And first as to the facts stated in his affidavit. That he is a prisoner of war as stated. I have seen the original certificate in his possession, and the conditions of the said parole are correctly stated in the affidavit, as is also the oath of allegiance taken by him, which clearly to my mind entitles him to the benefits of the President's amnesty proclamation, he coming under none of the reservations contained therein. As to the time of his entrance as a prisoner in the Capitol Prison, that is verified by the examination of the register of the prison made by me. These material facts being established, I have the honor to give the reasons why it appears to me his immediate release, as requested, should be promptly granted. Mr. Richard B. Winder, though, with others, is named as connected with the late Henry Wirz in his trial, I cannot find any testimony whatever bringing him in complicity with his acts, but the contrary; and as the commission under which he was tried, convicted, and executed has been dissolved, I cannot think that the Government still retains Mr. Winder as a prisoner to be tried under such commission, and if not, I cannot conceive what other charge or complaint there can exist against him. The other averments in his affidavit I firmly believe to be strictly true, and if doubted can be made more satisfactorily clear by proof, if required, and if demanded will be promptly supplied. As it may be supposed that Richard B. Winder is a son or near relative of the late General John H. Winder, of the late Confederate Army, so called, that is a mistake, he being a very distant relative and never under his command, on his staff while at Anderson ville, or subordinate to him in his particular department of military command. This can be proved to you, if required, to your entire satisfaction.

Under all these circumstances and facts, I think it perfectly consistent with justice and the policy laid down for his action by the President to ask you, sir, for his prompt discharge from confinement, and that he may return to his home and remain there undisturbed under his parole, as contracted by the conditions of the convention by which he became a prisoner of war, as has been done in so many thousands of analogous cases. But to remove all objections to his immediate release, if the Government of the United States has really any serious intention at a future time to bring Richard B. Winder to a trial on charges as yet

unknown or unsuspected by him or his counsel, and fear an evasion of their jurisdiction by him, we offer on his part his open and faithful fulfillment of his parole already performed by him, and, if required, a good and sufficient bond of security for such a sum as you may deem sufficient, executed by a responsible party, separately or jointly with himself, that he will make no evasion to such call, but promptly surrender himself for trial. And finally, to remove all doubts, if any exist in your mind or the minds of others in authority, of the respectability and standing of the prisoner in the opinion of those who know him in his own county, I send a copy of a paper in the possession of your own officer, General Miles, and which is signed by many who have been the firm supporters of the Government in the late rebellion, and, as they aver in their statements, that he is the last man, in their belief, to be guilty of inhumanity to prisoners in any way. I will state, in addition, that his duties were of a character, being those of a quartermaster, as not to bring him in personal contact with the prisoners at all.

Hoping, sir, that this subject will receive your prompt consideration and favorable action,

I am, with high respect, your obedient servant,

WILLIAM LINN BROWN,
Of Counsel for R. B. Winder.

[Sub-inclosure No. 1.]

WASHINGTON, *November 13, 1865.*

Richard Bagley Winder, now a prisoner in the Capitol Prison, deposes and says:

I am a paroled prisoner of war. I was paroled as such on the 2d day of May, 1865, at Augusta, by General Fry, under the convention between General William T. Sherman, of the U. S. forces, commanding, and General Joseph E. Johnston, of the C. S. Army. I thereupon immediately came home to Accomac County, on the Eastern Shore of Virginia, where I was born, and reported myself as a paroled prisoner to John Sample, captain, commanding U. S. forces there, and lived there undisturbed until the 9th day of July, A. D. 1865, and on that day went before the provost-marshal and took and subscribed the oath required, and parole as a loyal citizen of the United States, and received a certificate of the same marked No. 3, duly certified and delivered to me and now in my possession, and I remained there unmolested and unquestioned as a paroled prisoner of war, having taken the oath of allegiance as above stated, up to the 26th day of August, A. D. 1865. On that day, namely, on the 26th of August, last past, I was arrested by two officers of the U. S. Army, put in irons, and confined in the county jail, and remained incarcerated there until the 31st day of the same month, and on that day removed from the jail at Accomac and transported thence to the Old Capitol Prison, in the city of Washington, where I have ever since remained as a prisoner. From the time of my arrest up to the present time I have never been informed either by my captors (who protested to me at the time of my arrest that they knew nothing of the cause of my arrest) or any other person or persons, either officially or otherwise, of the cause of my arrest or of any charge or charges made or to be made against me by the U. S. authorities. On the contrary, I have received communications from those holding official situations under the Government that upon inquiry on their part no charges were filed, as they can discover, against me by the Government.

The deponent further avers that he is a married man and has several children now living requiring his presence and support, being under age, and also his property and estate require his personal attention, and his business, from which he derives the means for their support and education, is utterly prostrated by his incarceration as a prisoner. And the deponent further states, in conclusion, that the parole given to him as a prisoner and now in his possession reads as follows:

"The bearer, Richard B. Winder, is a paroled prisoner of the army commanded by General Joseph E. Johnston; has permission to go to his home and there remain undisturbed, on condition of not taking up arms against the United States until properly relieved of the obligation of his parole."

And that he, the deponent, has faithfully kept his contract with the Government of the United States, and respectfully considers that the Government of the United

States, having no charges against him, are bound to fulfill theirs to him by (without further delay) permitting him to return to his home and there remain undisturbed; and further the deponent saith not.

R. B. WINDER,
Old Capitol Prison, Washington.

Subscribed and sworn to before me this 13th day of November, A. D. 1865.

GEORGE R. WALBRIDGE,
Captain and Military Superintendent, Old Capitol Prison.

[Sub-inclosure No. 2.]

ACCOMAC COURT-HOUSE, VA., *August 29, 1865.*

General MILES:

SIR: While we know nothing of the connection of Richard B. Winder with the late prisons in Georgia or elsewhere, we take pleasure in indorsing him as a gentleman of high standing and of truth and veracity. Until the breaking out of the war he was and now is a resident of this county. He was a man of wealth, and particularly noted for his generosity, humane disposition, and kind heart. We believe that he is the last man to be guilty of inhumanity or ill-treatment in any way to prisoners. We sincerely hope that he may be released from imprisonment.

GEORGE T. GARRISON,
Attorney at Law.
[And seventy others.]

INDIANAPOLIS, IND., *November 14, 1865.*

His Excellency ANDREW JOHNSON, *President United States:*

If there is no question of jurisdiction in the way Davis can be indicted and tried in Indiana, as the rebel army, 5,000 strong, under the command of General Morgan, invaded the State. The court and grand jury are now in session, and if Davis will be sent here for trial (in case he is indicted) he will be indicted [*sic*]. There will be no difficulty in getting a jury that will do justice to the Government and to Davis.

O. P. MORTON,
Governor of Indiana.

EXECUTIVE OFFICE, *Washington, D. C., November 14, 1865.*

Governor O. P. MORTON, *Indianapolis, Ind.:*

Jurisdiction is one of the questions which has been much in our way. The place of trial must be determined hereafter. If the court and jury find true bills against him, it would not interfere with a trial at any other place. Bills have been found against him at some two or three places in Tennessee, and in this District.

ANDREW JOHNSON.

NEW YORK, *November 16, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

George Davis, late Attorney-General of the so-called Confederate States, has been delivered into my custody by Commander Conroy, of the U. S. Navy. What disposition shall I make of him?

ROBT. MURRAY,
U. S. Marshal.

WAR DEPARTMENT,
Washington City, November 16, 1865—1.30 p. m.

ROBERT MURRAY, Esq., *U. S. Marshal, New York:*

You will deliver George Davis, late rebel Attorney-General, to General Burke, at Fort Lafayette, to be held in close custody until further order. A copy of this telegram will be authority to General Burke to receive the prisoner from you.

EDWIN M. STANTON,
Secretary of War

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
November 16, 1865.

The SECRETARY OF WAR:

Respectfully returned.* In a report made from this Bureau on the 3d instant it was stated that—

While the evidence on the trial of Wirz was deemed by the court to implicate R. B. Winder in the conspiracy against the lives of Federal prisoners in rebel hands, no such specific overt acts of violation of the laws of war are as yet fixed upon him as to make it expedient to prefer formal charges and bring him to trial.

Such being the state of the proof, it is advised that he be released and allowed to resume his former status of prisoner of war on parole.

J. HOLT,
Judge-Advocate-General.

WASHINGTON CITY, D. C., *November 22, 1865.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I have the honor to submit the following statement as my general report for the current year on the subject of the exchange of prisoners of war; in doing which I find it necessary to revert to some facts of a precedent date in order that the subject may be the better understood.

At an early period of the rebellion a cartel for the exchange of prisoners was agreed upon in conformity with the authority of the President, as communicated to General Dix by the Secretary of War in the following dispatch, which contains on its face an important limitation, carefully guarding against any recognition of the rebel government, the object having expressly in view the humane purpose of extending relief to prisoners of war:

WAR DEPARTMENT, *Washington City, July 12, 1862.*

Maj. Gen. JOHN A. DIX, *Fort Monroe:*

The President directs me to say that he authorizes you to negotiate a general exchange of prisoners with the enemy.

You will take immediate measures for that purpose, observing proper caution against any recognition of the rebel government and confining the negotiation to the subject of exchange. The cartel between the United States and Great Britain has been considered a proper regulation as to the relative exchange value of prisoners.

EDWIN M. STANTON,
Secretary of War.

The agreement, signed by General Dix on the part of the Government, and General Hill on the part of the rebels, was duly announced in public orders by authority dated War Department, Adjutant-General's Office, Washington, September 25, 1862, a copy of which is hereunto annexed.†

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* Probably Brown to Stanton, November 14, p. 796.
† See Vol. IV, this series, p. 555.

So long as the cartel for the exchange of prisoners was respected in the South it was faithfully observed by the Government, and there is no doubt that its faithful execution would have been continued by the Government until the end of the war, unless properly revoked by competent authority, if the rebel authorities had not most distinctly violated its terms, under circumstances, indeed, of great aggravation.

The first indication on the part of the rebels of a disposition to disregard the cartel became public through a message by Jefferson Davis to the rebel Congress, in which, after alluding to the proclamation of the President announcing emancipation, he makes use of the following language:

I shall, unless in your wisdom you deem some other course more expedient, deliver to the several State authorities all commissioned officers of the United States that may hereafter be captured by our forces in any of the States embraced in the proclamation, that they may be dealt with in accordance with the laws of those States providing for the punishment of criminals engaged in exciting servile insurrection.

This announcement of Mr. Davis was made January 12, 1863, and received the modified approval of the rebel Congress, as shown in the following sections of an act approved May 1, 1863, to wit:

SEC. 4. That every white person, being a commissioned officer, or acting as such, who, during the present war, shall command negroes or mulattoes in arms against the Confederate States, or who shall arm, train, organize, or prepare negroes or mulattoes for military service against the Confederate States, or who shall voluntarily aid negroes or mulattoes in any military enterprise, attack, or conflict in such service, shall be deemed as inciting servile insurrection, and shall, if captured, be put to death, or be otherwise punished at the discretion of the court.

SEC. 5. Every person, being a commissioned officer or acting as such in the service of the enemy, who shall during the present war excite, attempt to excite, or cause to be excited, a servile insurrection, or who shall incite, or cause to be incited, a slave to rebel, shall, if captured, be put to death, or be otherwise punished at the discretion of the court.

* * * * * * *

SEC. 7. All negroes and mulattoes who shall be engaged in war or be taken in arms against the Confederate States, or shall give aid or comfort to the enemies of the Confederate States, shall, when captured in the Confederate States, be delivered to the authorities of the State or States in which they shall be captured, to be dealt with according to the present or future laws of such State or States.

When the message just referred to became known to the President, he saw at once the necessity of meeting it, and gave instructions to retain such rebel officers as might be captured, in order to be in a position to check the rebel Government and restrain the execution of its avowed purpose, in violation of the cartel.

This proceeding, initiated by the rebel Government in violation of the cartel, ultimated in the cessation of exchanges, which, as the history of the matter shows, became unavoidable, and was entirely due to the rebel Government.

Coincident with the proceedings with regard to the exchange of prisoners of war, the rebels inaugurated a system of seizing unoffending citizens of the United States and subjecting them to maltreatment, in various ways, in order to effect a particular object, which became apparent when a demand was made for their release. For this purpose quite a number of citizens of Pennsylvania were carried into captivity by General Lee when he penetrated into that State in 1863.

When a demand was made for the release of this class of prisoners it was met by a most positive declaration that no citizen prisoner in rebel hands should be released unless the Government would enter into an agreement with the rebel authorities not to arrest any one on account of his opinions or on account of his sympathy with the rebel cause; and this declaration was repeated again and again by the

rebel authorities whenever the Government demanded the release or exchange of said citizen prisoners.

It will require but the slightest glance at this subject to convince any one of the utter impossibility of acquiescing in the demand of the rebel authorities as a prerequisite to the release of the citizens thus held in bondage. Such an agreement on the part of the United States would have been a virtual acknowledgment of the independence of the rebel Government, and would have foreclosed all proceedings of the United States against all persons whomsoever engaged in the crime of treason and rebellion. It was absolutely impossible to acquiesce in the demand of the South on that point, and this is the reason why this class of prisoners was beyond the reach of the Government, except through the power of its armies, which finally settled the entire question by putting an end to the rebellion itself.

At the commencement of the cessation of exchanges the rebels held a few prisoners of war over and above the number of rebels held by the Government, but the capture of Vicksburg and Port Hudson threw the balance largely the other way; and, as the prisoners captured by General Grant and General Banks were left in the South on parole, the rebel authorities determined to make use of them, not merely in violation of the cartel, but in open contempt of the laws of war. They first ordered that body of men to be assembled at a place called Enterprise, in Mississippi, on pretense of facilitating measures for their supplies, but in reality with the distinct purpose, as we are now compelled to believe, of throwing them into the rebel ranks to meet the anticipated conflict which, it was seen, was near at hand in East Tennessee, and which accordingly took place at the memorable battles of Chickamauga and Chattanooga; in which battles many of the captured prisoners paroled in the South by Generals Grant and Banks took part without having been duly exchanged, although the rebel authorities made an *ex parte* declaration of exchange in their favor without proper authority, which was protested against by the United States.

It must be understood that the rebels might at any time have resumed the system of exchange agreed upon in the cartel by receding from the assumed right of disposing of captured Union officers as required in the act passed by the rebel Congress, before alluded to, and agreeing to the exchange of colored troops; but they would never agree to acknowledge the right of colored troops to treatment due to prisoners of war; and as the Government of the United States had exercised the right of employing colored troops as a part of the force against the rebels, their claim to such protection as the Government could give was one which did not admit of discussion.

When the rebels discovered that the suspension of exchanges was operating against them they resorted to the horrible expedient of subjecting the prisoners they held to starvation and exposure to the elements, without the protection of quarters or tents, after first robbing them of their money and most of their clothing, and without regard to seasons or their inclemencies, in the hope of forcing the Government into a system of exchanges which should have the effect not only of leaving in their hands all the colored prisoners they had taken, but of throwing into their ranks the entire body of prisoners held by the Federal power, then greatly in excess over the prisoners held by the rebels. This fact is proved by the declarations of the Richmond papers at the time when a few exchanges were made, that the rebel agent, Colonel Ould, had not sent over the lines the number of prisoners equivalent to those received, but only a proportionate number, the ratio being determined

by Colonel Ould, in view of the number of prisoners held in the South against those held in the North, the claim to hold in reserve the colored prisoners in the South having never been abandoned. This fact was further established by the official records of the Commissary-General of Prisoners, by which it appeared that, after sending several boat-loads of exchanged prisoners each way, the rebels were constantly falling in debt. Upon observing this fact, and noticing the publications in Richmond, I called upon the Commissary-General of Prisoners for a tabular statement of the result, and the statement showed an indebtedness in our favor of over 500 men, which statement was handed to the Secretary of War, who thereupon directed an order to General Grant to assume the entire control of the matter of exchanges, with authority to give such orders as he might think proper on the subject. General Grant at once reverted to first principles, and directed that Colonel Ould or the rebel authorities should be notified that colored troops should be treated as prisoners of war when captured; and, as the rebels were not willing to accede to this requirement, no further exchanges were made.

Upon the receipt at the War Department of the first intelligence of the inhuman treatment to which our prisoners were subjected at Richmond, the Secretary of War, without a moment's hesitation, gave instructions to our agent of exchange at Fort Monroe to send forward supplies from the public stores for their relief, and large quantities of provisions and clothing were accordingly sent for distribution among the prisoners, and every possible effort was made to afford that sort of relief, even at the hazard of large portions of the supplies being wasted, or, what was worse, misappropriated to the benefit of our enemies, who, it soon appeared, made use of these supplies for their own advantage, leaving our prisoners still to suffer. But even this did not destroy the hope of the Secretary that some portion of the supplies would, at least, be permitted to reach its destination, and the orders to send that relief were left in force until the rebels themselves, shamed, perhaps, by the scandalous state of things, then likely to become historical, refused to receive any further supplies through the agents of the Government.

In the meantime the sympathies of friends in the North were naturally awakened, and large quantities of supplies of all kinds were sent to Fort Monroe, whence they were forwarded for the relief of the prisoners at Richmond; but the moment they passed beyond the control of our agents they fell into the hands of the most unprincipled and shameless scoundrels that ever disgraced humanity. It is in proof that large quantities of supplies furnished by the benevolence of the North for the relief of suffering humanity in Southern prisons were piled up in sight of the objects for whose relief those supplies were sent, but beyond the line of the prison guards; and while the prisoners were thus in sight of their own boxes they were not only forbidden to touch them but compelled to witness depredations upon them by the guards themselves, who feasted upon their contents, leaving the victims of war a prey to that merciless barbarism which will make one of the darkest pages in the history of a rebellion which will itself remain an astonishment to all posterity for its almost causeless existence.

Many have supposed that it was in the power of the Government to afford relief to the prisoners in the South by a resort to retaliatory treatment of rebel prisoners in the North. It is difficult to meet a suggestion of this kind by an appeal to the instincts of civilized humanity, because the mere suggestion supposes the absence of those instincts, and implies a willingness to see the public sentiment degraded into barbarism, which would have put the nation itself on the footing of

savages, whose only excuse for their barbarity is their ignorance and their exclusion from the civilized world. The day must come when every true American will be proud of the reflection that the Government was strong enough to crush the rebellion without losing the smallest element of its humanity or its dignity, and stands before the world unimpeached in its true honor and glory.

It may be observed that no one imagined, prospectively, the horrors which came to light at Andersonville, the full enormity of which only became known at the close of the military events which ended the war. Had they been known when at their worst the Government would have had the choice of but three measures: First, the rebel prisoners might have been sent South, we to receive in return such white prisoners as they might have held, leaving the colored troops to their fate; second, a resort to retaliatory measures; or, lastly, for the country to wage the war with increased zeal to bring it to a legitimate end. No man can doubt which of these plans the Northern people would have approved if submitted to them, and the Government only assumed to represent the people in the question.

It ought to be mentioned here, as a beautiful illustration of the moral sublime, that among the many memorials, some of them very numerously signed, which reached the War Department, praying for relief to Federal prisoners suffering in the South, in nearly all of them there was an express protest against a resort to retaliation. And what was the real effect of the barbarity upon the prisoners in the South? Certainly it was most deplorable and shocking upon individuals for the time being; but no one whose moral eyes are open can fail to see that it became in many ways a signal step, under the guidance of Providence, for bringing the rebel cause to destruction. It strengthened the feeling in the North in favor of warlike and determined measures against rebellion; it sent thousands into the army who took the field resolutely determined to punish the authors of a great crime against humanity. The enemy might almost literally have felt that it is "a terrible thing to fall into the hands of the living God."

An erroneous opinion appears to have been circulated, more or less widely, with regard to the number of colored Federal troops who fell into the hands of the enemy, which makes it important to state that the actual number thus exposed to injurious treatment was very much greater than has been commonly supposed. This will sufficiently appear from the fact that, on the 21st of January, 1865, Lieut. O. O. Poppleton, adjutant of the One hundred and eleventh U. S. Colored Infantry, addressed a letter, dated at Nashville, Tenn., to Major-General Butler, in the following words, to wit:

> I have the honor to inclose herewith a copy of a Mobile paper (rebel) containing, over the signature of D. H. Maury, major-general, C. S. Army, the names of 569 soldiers belonging to the One hundred and sixth, One hundred and tenth, and One hundred and eleventh Regiments of U. S. Colored Infantry, who were taken prisoners by a force of the enemy under Maj. Gen. N. B. Forrest at Athens and Sulphur Branch Trestle, Ala., on the 24th and 25th of September, 1864, and placed at work on the defenses of Mobile, Ala., by order of the rebel authorities. Lieut. William T. Lewis, adjutant One hundred and tenth U. S. Colored Infantry, has a paper of later date than this, containing the names of nearly 300 more soldiers of the same command also at work on the defenses of Mobile.

This is an official report from the adjutant of the One hundred and eleventh Regiment Colored Infantry, showing that there were then, in January, 1865, at work on the fortifications about Mobile 569 colored soldiers belonging to three regiments only; and a reference is made to another paper as being at that time in the hands of another officer,

an adjutant also of one of those regiments, embracing the names of "nearly 300 more soldiers of the same command," making in all over 800 colored soldiers of the U. S. Army at work under rebel officers on the fortifications around Mobile alone.

When the Government determined to employ colored troops in its armies the principle was recognized that they were entitled to protection; and accordingly it was claimed that the class of troops referred to should receive such treatment from the enemy as was due to other troops employed in the defense of the Government. The assertion of this principle did not depend upon the number of colored troops who might at any one time be in the hands of the enemy. Every consideration of honor and humanity required the assertion of this principle as due to the troops employed in the service of the Government; and accordingly, in various communications, when the subject required it, the Government agents connected with the duties of exchange of prisoners invariably set forward the principle. But this did not prevent the exchange of prisoners, man for man and officer for officer. The difficulty on this subject was due, first, to the message of Mr. Davis to the rebel Congress, already referred to, declaring his purpose to deliver to Southern State authorities such white Union officers as might be captured for trial under State laws unknown alike to the laws of Congress and to the laws of war; and secondly, to the open contempt of the laws of war, as also stated above, in the fact that the rebel authorities released from the obligations of their parole a number of rebel prisoners and placed them in their ranks without exchange.

During a brief period prior to the capture of Vicksburg the rebels held more prisoners of war than the Government; but after the date of that event the case was reversed, and from that time forward the Government made every effort to obtain exchanges—man for man and officer for officer—but without avail, the rebel authorities persistently resisting applications for exchange unless the Government would release all rebel prisoners, after they had openly violated the cartel themselves, claiming that the Government should deliver to them all rebel prisoners, while they on their part declared their purpose of withholding from exchange such colored prisoners as they might have in their possession.

It is important to observe here that while this controversy was pending we actually held in prison depots in the North about 70,000 prisoners of war, over and above which we had a just and valid claim for more than 30,000 men who had been captured and paroled in the South, chiefly at Vicksburg and Port Hudson, and who had never been properly exchanged; making in all at least 100,000 men whom the rebel authorities wished to draw from us in exchange for about 40,000 of the white troops of the United States, the effect of which would have been to throw into the army of General Lee an effective force of about 60,000 or 70,000 men, in fine health and able in all respects to be put immediately into the field against General Grant's army, or with which General Lee might have obtained a disposable force of some 50,000 or more men for the purpose of entering the States of the North, and thereby possibly compelling General Grant to raise the siege of Richmond or expose the Northern States to devastation by the enemy.

It was the desire of the rebel agent of exchange to avoid making special exchanges, in the hope of drawing from us the whole of the rebel prisoners of war we held in return for inferior numbers held by the enemy. To accomplish that object the rebel commissioner or agent of exchange not only declined to make exchanges on equal terms in any considerable number, but refused to make special exchanges, except

under extraordinary influences brought to bear by the friends of interested parties; and in repeated instances the rebel agent took care to indorse upon special applications the express declaration that he neither made nor countenanced such applications.

In consequence of this state of things, and while there was a hope of effecting general exchanges, only a few applications of a special character were forwarded over the lines; but when it became apparent that a general exchange could not be effected I received your instructions to forward all special applications for exchange, in order, as you explained the purpose at the time, to afford every possible opportunity to extend relief to as many individuals as might have the good fortune to secure Southern influences for that object; and great numbers of such applications were sent over the lines, most of which, however, were never heard from afterward.

Another fact I beg to state in connection with this subject, as a further illustration of the efforts of the Department to extend relief to Federal officers and soldiers imprisoned South, to wit: The rebel authorities resorted to the system of placing individuals in close confinement, in alleged retaliation for what on our side was but the legitimate operation of the laws of war in the punishment of spies and other offenders against those laws. In the endeavor to afford relief in a particular case of this kind the rebel agent seized the opportunity of proposing the mutual release and exchange of all prisoners in close confinement, although at that time we had no rebel prisoners thus confined except by due course of law. This proposition was manifestly unfair, and a recovered letter from the rebel agent has shown that he knew it was so. Nevertheless, the proposition was accepted by your orders, and although it effected the release of some criminals belonging to the rebel army, it carried relief to a number of Federal officers and soldiers in the South, who thus obtained liberation, the concession on your part having had in view the relief it promised, and to some extent effected, in favor of a few of our officers and soldiers.

The recovered letter alluded to was dated at City Point, March 17, 1863, and addressed to Brigadier-General Winder, in the following words:

SIR: A flag-of-truce boat has arrived with 350 political prisoners, General Barrow and several other prominent men amongst them. I wish you to send me at 4 o'clock Wednesday morning all the military prisoners (except officers) and all the political prisoners you have. If any of the political prisoners have on hand proof enough to convict them of being spies, or of having committed other offenses which should subject them to punishment, so state opposite their names. Also, state whether you think, under all circumstances, they should be released. The arrangement I have made works largely in our favor. We get rid of a set of miserable wretches and receive some of the best material I ever saw. Tell Captain Turner to put down on the list of political prisoners the names of Edward G. Eggling and Eugenia Hammermister. The President is anxious they should get off. They are here now. This, of course, is between ourselves. If you have any female political prisoner whom you can send off safely to keep her company I would like you to send her. Two hundred and odd more political prisoners are on their way. I would be more full in my communication if I had time.

Yours, truly,

RO. OULD,
Agent of Exchange.

It should be noticed in this report that when the subject of exchange became embarrassing, because of the unwillingness of the enemy to exchange man for man, he demanding all of the rebel prisoners we held in exchange for the white prisoners held by him, Major-General Halleck, by the direction of the Secretary of War, made an effort to obtain exchanges on equal terms. For this purpose he sent a flag of truce to

General Lee, then in force on the Rapidan, and proposed that species of exchange; but General Lee declined to act upon the proposition, and answered, evidently in accordance with instructions from Richmond, that the subject of exchange was in the hands of a commissioner and he preferred to have nothing to do with it.

As a further effort to obtain this class of exchanges the Secretary authorized various commanders, distant from Washington, to open communications with the enemy and to effect exchanges whenever they could be made on equal terms. In the midst of these difficulties I was painfully impressed with the impossibility of effecting exchanges on equal terms with Judge Ould; and having understood that General Butler was of the opinion that, if empowered to do so, he could make exchanges, I addressed a note to the Secretary of War and proposed to withdraw from the position of commissioner of exchange in favor of any officer who could accomplish so desirable a result; upon which, however, the Secretary did not see fit to make an order. A few days after this I was sent for from the War Office, where I found the Secretary in conversation with General Halleck on the subject of exchanges. The Secretary then informed me that General Butler had expressed the opinion above stated, and that several members of Congress had expressed a similar opinion with regard to General Butler's ability to effect exchanges, if empowered to do so. I at once said to the Secretary, "If General Butler is of opinion that he can make exchanges I think, sir, you had better let him try." He then said that it was his wish that I should go to Fort Monroe and confer upon General Butler the requisite power by his authority; and he thereupon wrote, in the presence of General Halleck and myself, the following order:

WAR DEPARTMENT, *Washington, December 16, 1863.*

Major-General HITCHCOCK, *Commissioner of Exchange of Prisoners:*

GENERAL: You will proceed immediately to Fort Monroe and take any measures that may be practicable for the release, exchange, or relief of U. S. officers and soldiers held as prisoners by the rebels.

You are authorized and directed to confer with Major-General Butler on the subject, and may authorize him, as special agent, commissioner, or otherwise, to procure their release or exchange upon any just terms not conflicting with principles on which the Department has heretofore acted in reference to the exchange of colored troops and their officers, and not surrendering to the rebels any prisoners without just equivalents. You may, if you deem it proper, relieve General Meredith and direct him to report to the Adjutant-General for orders.

Yours, truly,

EDWIN M. STANTON,
Secretary of War.

Within half an hour after the writing of the above order I was on my way to Fort Monroe, and on the morning of the 17th of December I reported to General Butler. After stating the limitations under which he would be authorized to make exchanges I requested him to prepare instructions for himself, giving him the authority he desired, in accordance with the orders of the Secretary, stating that when ready I would sign them in the name of or with the authority of the Secretary. In two or three hours thereafter I called again upon General Butler and made the instructions he had prepared official. They contained the following paragraphs:

You are hereby instructed not to make any exchange which shall not return to you man for man, officer for officer, of equal rank with those paroled and sent forward by yourself, regarding, of course, for motives of humanity in the earlier exchanges, those officers and men on either side who have been the longest confined.

Colored troops and their officers will be put upon an equality in making exchanges, as of right, with other troops.

You are permitted, in conducting the exchange, to waive for the present the consideration of the questions of parole and excess now pending between the Confederate belligerent authorities and this Government, leaving them untouched as they stand until further interchange of views between those authorities and yourself.

The above instructions to General Butler will show precisely the animus of the Secretary of War on the subject of exchanges. He was perfectly willing and anxious to make exchanges, man for man, officer for officer, and gave, as must be seen, the fullest power to General Butler to effect those exchanges. General Butler in his conversation with me expressed no desire to have any other instructions or powers committed to him, and appeared to be very confident of his ability to accomplish the desired result, giving me in detail many reasons for that confidence. I returned to the city of Washington, and within a few days the public prints announced General Butler's first attempt to make exchanges and the result. General Butler sent a boat load of prisoners under a flag of truce to City Point, where they were offered for a like number of Federal troops. It appears that when this was reported to the rebel Government violent indignation was expressed by the rebel authorities, on the alleged ground that General Butler was an outlaw by the proclamation of Mr. Davis, and that it was an insult to employ him to accomplish any result requiring any sort of intercourse between him and the rebel authorities; but it was concluded that, inasmuch as a certain number of their troops were actually within their lines as returned prisoners of war, they should be received, and a like number of Federal prisoners should be exchanged for them; but notice was given to our agent that no more prisoners would be received in that manner, and it was reported at the time that General Butler was informed that a flag of truce even should not protect him within the rebel lines.

When this was reported in Washington the President himself, in the presence of the Secretary of War, declined to give any order on the subject, unwilling to concede to the rebels the right to dictate what agents this Government should employ in its public business; but it was plain to be seen that the real object of the rebel authorities was to avoid making equal exchanges of man for man and officer for officer, their purpose being to deliver to us, as before stated, only a proportionate number of prisoners held by them as against those held by us; and because General Butler's instructions required the exchange of man for man, made the employment of General Butler in the business of exchange a pretext for refusing those equal exchanges. This was evident, because, in point of fact, General Butler did not personally appear in the business—that is, he did not accompany the flag of truce—and if there had been any disposition on the part of the rebels to make equal exchanges they knew those exchanges would be made through the agency of another officer and not personally by General Butler; and thus the real purpose of the rebels becomes manifest, their object being to draw from us all of their own troops in our hands, giving us in exchange only such white troops of the Federal forces as they might hold.

After this experiment by General Butler matters remained in suspense for some time, no exchanges being made.

At length two Federal officers who had escaped from rebel prisons gave me their opinion, in this city, that if we would send to City Point for exchange a body of 300, 400, or 500 rebel officers, demanding a like number in return, the feeling in the South, they believed, would be such that the rebel authorities would not dare to refuse the exchange;

and if that succeeded, they would not dare thereafter to refuse to exchange private soldiers. I thought very well of this suggestion and addressed a note to the Secretary of War, communicating it and recommending its trial. The Secretary at once accepted the suggestion and directed General Canby, then on duty in the War Office, to require General Butler to make that trial. But General Butler thought proper to send a mixed boat load of officers and men.

Here, then, was another effort to make exchanges on equal terms. The enemy accepted the prisoners sent over the lines but did not return a like number. This fact was publicly stated by the newspapers at Richmond and was confirmed by official reports received at the office of General Hoffman, the Commissary-General of Prisoners, after several boat loads had passed. When the purpose of the rebel commissioner became apparent, not to make exchanges man for man but only in proportionate numbers, the fact, with the evidence for it, was submitted to the Secretary of War, and then it was, as stated above, that General Grant was instructed to take the subject under his own supervision, with the result already alluded to.

After General Butler took charge of the duties in connection with the exchange of prisoners I was not officially advised of his proceedings, because he, being of senior rank to myself, made no reports to me; but in August, 1864, there was published in the journals of the day a letter, over the signature of General Butler, of the highest importance in connection with this subject. No official copy was furnished to me and I have never seen the letter of Judge Ould to which it refers, the authenticity of which, however, is sufficiently vouched in the letter of General Butler, which commences, addressed to Judge Ould, in these words:

SIR: Your note to Major Mulford, assistant agent of exchange, under date of the 10th of August, has been referred to me. You therein state that Major Mulford has several times proposed to exchange prisoners respectively held by the two belligerents, officer for officer and man for man; and that the offer has also been made by other officials having charge of matters connected with the exchange of prisoners, and that this proposal has been heretofore declined by the Confederate authorities. That you now consent to the above proposition and agree to deliver to you (Major Mulford) the prisoners held in captivity by the Confederate authorities, provided you agree to deliver an equal number of officers and men.

This letter, cited by General Butler, from Colonel Ould shows conclusively by whom the proposition for an equal exchange was originally made. It shows also that it had been repeatedly made by the Government and had been as repeatedly refused by the rebel authorities.

The matter had been placed in General Butler's hands, and he answered Judge Ould's letter, asking some preliminary explanations, which I believe were never made, and the opportunity of a final action upon Judge Ould's letter was thus cut off by himself.

The reasons which induced General Butler's action may no doubt be seen, in part at least, in the letter he addressed to Judge Ould, which was published in the journals of the day. I have never heard that the matter was referred to the Secretary of War, and have never understood that he gave any order in the premises.

We learn from General Butler's letter that Judge Ould did not reach his conclusion in reference to Major Mulford's proposition until a period of eight months had elapsed.

It is impossible to approach the subject of this report without being solemnly impressed by a sense of the horrors inflicted upon the prisoners of war in the South; but in making the report I have felt impera-

tively called upon to confine myself to facts connected immediately with the subject of exchanges, leaving inferences to be drawn by others. I attach hereto such official letters and telegraphic dispatches as have either originated in my office or have reached me as may throw light upon the subject of this report.*

I have the honor to be, very respectfully, your obedient servant,

E. A. HITCHCOCK,

Maj. Gen. of Vols., Commissioner for Exchange of Prisoners.

Documents accompanying the foregoing report.

Document.	Date.	Reference.		
		Series.	Volume.	Page.
General Orders, No. 142, Adjutant-General's Office, U. S. Army	Sept. 25, 1862	2	4	555
Cartel of exchange, Dix and Hill	July 22, 1862	2	4	266
Stanton to Wool	Apr. 21, 1862	2	3	467
Stanton to McClellan	June 18, 1862	2	4	36
Stanton to Dix	July 8, 1862	2	4	177
Stanton to Dix (two)	July 14, 1862	2	4	208 209
Stanton to Dix	July 16, 1862	2	4	225
Do	July 25, 1862	2	4	283
Stanton to McClellan	July 25, 1862	2	4	284
Stanton to Dix (two)	July 25, 1862	2	4	283 284
Stanton to Dix	July 29, 1862	2	4	306
Stanton to Ludlow (two)	Mar. 29, 1863	2	5	408 409
Hitchcock to Ludlow	Apr. 13, 1863	2	5	478
Ludlow to Hoffman	June 24, 1863	2	6	40
Ould to Ludlow (two)	May 22, 1863	2	5	691
Ludlow to Ould (two)	May 25, 1863	2	5	702 703
Stanton to Ludlow	June 29, 1863	2	6	59
Hitchcock to Butler†	Feb. 5, 1864	.....	.....	.....
Butler to Hitchcock†	Feb. 9, 1864	.....	.....	.....
Butler to Hoffman	Apr. 4, 1864	2	7	10
Stanton to Meredith	Nov. 11, 1863	2	6	499
Stanton to Fulton†	Nov. 11, 1863	.....	.....	.....
Stanton to Meredith	Dec. 2, 1863	2	6	631
Stanton to Butler	Feb. 10, 1864	2	6	936
Canby to Butler	Feb. 14, 1864	2	6	952
Stanton to Butler	Mar. 10, 1864	2	6	1028
Do	Feb. 29, 1864	2	6	997
Grant to Stanton†	Apr. 17, 1864	.....	.....	.....
Grant to Butler	Apr. 17, 1864	2	7	62
Stanton to Butler	May 4, 1864	2	7	112
Grant to Stanton	Aug. 21, 1864	2	7	662
Grant to Halleck†	Aug. 25, 1864	.....	.....	.....
Mulford to Ould	Aug. 22, 1864	2	7	667
Hitchcock to Mulford	Sept. 3, 1864	2	7	715
Ould to Mulford	Sept. 12, 1864	2	7	807
Stanton to Grant	Oct. 4[5], 1864	2	7	924
Lincoln to Grant	Oct. 5, 1864	2	7	924
Grant to Stanton	Jan. 21, 1865	2	8	98
Stanton to Grant	Oct. 15, 1864	2	7	988
Ould to Stanton	Oct. 7, 1864	2	7	929
Ould to Mulford	Oct. 6, 1864	2	7	926
Grant to Mulford	Jan. 13, 1865	2	8	63
Grant to Halleck	Jan. 15, 1865	2	8	74
Do.†	Jan. 16, 1865	.....	.....	.....
Stanton to Colfax	Jan. 21, 1865	2	8	97
Grant to Stanton†	Feb. 5, 1865	.....	.....	.....
Grant to Halleck	Feb. 16, 1865	2	8	235
Stanton to Grant	Apr. 9, 1865	1	46iii	664

* See list and references next, *post.*

† Follow as inclosures.

[Inclosures not elsewhere published.]

WAR DEPARTMENT,
Washington City, November 11, 1863.

C. C. FULTON, Esq., *Baltimore, Md.:*

General Meredith has been instructed to transmit any funds that may be supplied for the use of our prisoners in Richmond. The Government cannot, of course, be responsible that they will reach their destination. Those who send funds must run that risk.

EDWIN M. STANTON,
Secretary of War.

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WASHINGTON CITY, D. C., *February 5, 1864.*

Maj. Gen. B. F. BUTLER, *Commanding, &c., Fort Monroe:*

SIR: A. D. Richardson and Junius H. Browne, correspondents of the New York Tribune, are said to be prisoners in Richmond. I am induced to believe that we have some prisoners at Nashville available for their exchange.

Will you be so good as to inform me whether you can accomplish the release of the Tribune correspondents, and what you desire may be done for that object?

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Com. for Exchange of Prisoners.

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OFFICE OF COMMISSIONER FOR EXCHANGE,
Fort Monroe, Va., February 9, 1864.

Maj. Gen. E. A. HITCHCOCK,
Commissioner for Exchange, Washington, D. C.:

SIR: Your communication of the 5th instant was received. I shall make an effort to negotiate an exchange of the New York Tribune correspondents with the rebel authorities by the next flag-of-truce boat.

I have the honor, general, to be, very respectfully, your obedient servant,

BENJ. F. BUTLER,
Major-General and Commissioner for Exchange.

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HEADQUARTERS ARMIES OF THE UNITED STATES,
In Field, Culpeper Court-House, Va., April 17, 1864.

Hon. E. M. STANTON, *Secretary of War, Washington, D. C.:*

I have the honor herewith to inclose for your information a copy of my letter of instructions to Maj. Gen. B. F. Butler, commanding Department of Virginia and North Carolina, touching the exchange of prisoners.*

I have the honor to be, sir, very respectfully, your obedient servant,

U. S. GRANT,
Lieutenant-General.

* See Vol. VII, this series, p. 62.

CITY POINT, VA., *August 25, 1864—7.30 p. m.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

I see by the Richmond Examiner of to-day that General Canby is about exchanging the prisoners captured at Fort Gaines. I hope General Canby will be instructed to make no more exchanges. It is giving the enemy re-enforcements at a time when they are of immediate importance to him.

U. S. GRANT,
Lieutenant-General.

CITY POINT, VA., *January 16, 1865.*

Maj. Gen. H. W. HALLECK, *Chief of Staff:*

My order to send prisoners to Fort Monroe does not include the 500 sent to Morris Island.

U. S. GRANT,
Lieutenant-General.

—

CITY POINT, VA., *February 5, 1865—11.30 p. m.*

Hon. E. M. STANTON, *Secretary of War:*

Will you please say to the President that Lieutenant Markbreit has been released from prison and is now on his way North.

Arrangements for exchange of all prisoners are now complete and exchanges will go on rapidly. All but two of those who were in close confinement in Richmond are now on the steamer New York.

I am also in receipt of communication from General Hayes, acknowledging receipt of supplies of clothing for our prisoners, and the completion of arrangements for transportation and distribution.

U. S. GRANT,
Lieutenant-General.

[Indorsement.]

This has the appearance of being a special case, but it was a trial case, persevered in with the view of securing the release of all of the same class, and which was accomplished.

E. A. HITCHCOCK,
Major-General of Volunteers, Commissioner of Exchange.

WAR DEPARTMENT,
*Washington City, November 22, 1865.**

Mr. PRESIDENT: * * * The Commissary-General of Prisoners reports that between the 1st of January and the 20th of October there were in our custody 98,802 prisoners of war. Of these 1,955 enlisted into the U. S. service, 63,442 were released after the cessation of hostilities, and 33,127 were delivered in exchange. Besides these, 174,223 prisoners surrendered in the different rebel armies, and were released on parole, viz:

Army of Northern Virginia, commanded by General R. E. Lee	27,805
Army of Tennessee and others, commanded by General J. E. Johnston	31,243
General M. Jeff. Thompson's army of Missouri	7,978
Miscellaneous paroles, Department of Virginia	9,072

* For portion of this report here omitted see Series III.

Paroled at Cumberland, Md., and other stations	9,377
Paroled by General McCook in Alabama and Florida	6,428
Army of the Department of Alabama, Lieut. Gen. R. Taylor	42,293
Army of the Trans-Mississippi Department, General E. K. Smith	17,686
Paroled in Department of Washington	3,390
Paroled in Virginia, Tennessee, Georgia, Alabama, Louisiana, and Texas	13,922
Surrendered at Nashville and Chattanooga, Tenn	5,029
Total	174,223

* * * * * * *

EDWIN M. STANTON,
Secretary of War.

[NOVEMBER 23, 1865.—For Holt to Stanton in the matter of the application of Hon. William Marvin for the pardon (or parole) of D. L. Yulee, S. R. Mallory, and A. K. Allison, see inclosure No. 2, Holt to Stanton. January 18, 1866, p. 862.]

FORTRESS MONROE, *November 23, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States of America:

Mr. PRESIDENT: I have now been during nearly seven months a prisoner in close confinement and under guard, for such was my condition en route to this place. By letters dated the 30th of June, 19th of August, and 1st of October, I asked a trial for my imputed complicity in the murder of Mr. Lincoln, to neither of which have I had any answer. Had your proclamation charged me with the very act of Booth I should not have been more surprised and amazed than I was at being charged with concerting the crime. I had then been absent from Canada nearly six months; had never known or heard of Booth or either of those charged as immediate accomplices, and had not to my knowledge or belief ever seen him or either of them. Conscious of my innocence of either concerting, consenting to, conserving, or being privy to this crime, or anything base, cowardly, or dishonorable, or unwarranted by the laws of war and the example of the United States; confident that no act or word of mine could be tortured into complicity in any such crime, and trusting and expecting that I would ere long be allowed means and opportunity of removing from my name a stain more painful than any wound you could have inflicted on my body, I parted from those who have escaped arrest (despite their dissuasions and admonitions that I would be made to suffer severely), traveled back to Macon, Ga., 170 miles distant, and surrendered myself to Major-General Wilson. I felt and feel that neither liberty nor life is valuable with a dishonored name. I knew that my own people would not credit my guilt, but I was unwilling that the great world, who did not know me, should doubt my innocence. I flattered myself that neither you nor Mr. Seward would yield credence to this accusation without strong evidence of it. I had shared his hospitality, and according to the morals of barbarians, Arabs, or Indians could not assassinate him. I had been tendered yours and was indebted to you for relief when in distress at your own town. Besides I thought you accorded me at least courage and integrity, which are utterly irreconcilable with the crime imputed to me. I therefore surrendered myself with the expectation that I would long since have been relieved from a disgraceful charge that has weighed

like an incubus upon my spirits; but I am still in prison, as ignorant of the grounds of accusation as when I came here, for I have been allowed to see no paper that alluded to it and have heard nothing implicating me from my wardens. My condition has been not unlike that of one whose wife or daughter was forced from him into outer darkness to death or dishonor, while he was lying bound, gagged, and blind-folded within his home. I have borne such anguish of soul while enduring the pains of physical disorders and infirmity greatly aggravated by my prison discipline. I have suffered long and severely, enough I think, to satisfy the vengeance of my worst enemy. Now, I submit to you whether public justice requires that I should longer endure such punishment. If there be no evidence to warrant this imputation, should not my family, if not I, be relieved from the reproach of it? If there be any, should not I be allowed means to rebut it and vindicate myself? The long delay of my trial persuades me that the evidence of my complicity, if any, is insufficient to warrant a prosecution. But the greater rigor with which I am treated, if I may credit newspaper reports of privileges accorded political prisoners elsewhere, impresses me with the belief that I am regarded as more criminal than they are.

Of those professing my faith in the sovereignty of the States and the right of secession, and acting with me, some with more power and efficiency and in higher positions, it appears that many have suffered no imprisonment or arrest, no confiscation or seizure of their property, while others have undergone shorter and less rigorous imprisonment and are now at liberty. I was educated in that faith, held it religiously, maintained it honestly and unselfishly: gave it both my hands and all my heart; sacrificed to it an ample fortune and a seat in the U. S. Senate, which I could have held during my life. I still think the States did not surrender that right in adopting the U. S. Constitution, and I know that the power of coercing them is not granted in that instrument, and was refused when asked. I have ever regarded the States' rights dogma as conservative of popular liberty and personal rights. But the subordination of the States and supremacy of the General Government has been established in the court of last resort—the field of battle—and its judgment is conclusive and final. The established theory now is that the citizen owes his highest and first allegiance to the General Government. Such is the fact, and none should dispute it. I should deprecate any effort to revive defunct principles and obsolete ideas that can never prevail, but may irritate the wounds and aggravate the sufferings of the conquered States. No rebellion, insurrection, or resistance to the U. S. Government could be excited, in my opinion, in either of the Southern States. They have not only been overcome and subjugated, but quite disabled for self-protection. Emancipation has paralyzed their mutilated limbs. They are not only powerless to resist the will of the majority of States, but I fear to preserve domestic peace, tranquillity, order, law, and justice within her own limits. It will, at all events, require all their moral and physical resources, with the aid of the General Government, to do so. They have not only to reorganize governments in new forms, but to recast society and create strange and hitherto repugnant relations between blacks and whites, conceding to the former rights heretofore denied, and maintaining them, and restraining the latter from exercising accustomed rights by prohibiting and punishing them as wrongs. A revolution so radical can scarcely be effected without great distress, serious difficulties, anxious disquietude, and common distrust. It will

demand almost superhuman wisdom and virtue to mature the new social and political system and preserve harmony and respect for each other's rights between the two races. Both have not only to learn new lessons of political and social rights and duties, but to unlearn old ones, and it is easier to teach ignorance than to correct error. Any wrong, real or imaginary, even a blunder or erroneous suggestion of overzealous friends in Northern States, may cause scenes of bloodshed such as have lately been exhibited in Jamaica. To borrow Mr. Jefferson's figure, "The South no longer holds the wolf by the ears." He is loose and she must keep ever on the watch. Hence the General Government will be necessary as a guardian of the people of the Southern States, especially where there is a large negro population. If such is not the prevailing sentiment now, it will be of necessity ere long. Entertaining these opinions, I would not if I could countervail your efforts to reconstruct the Union on the new basis. You offer the best remedy in your judgment (I doubt not) for the present disorganization and disorders of the South. It is bitter to me, I confess; but emancipation being achieved, it is necessary to prevent continual convulsions and preserve what is left.

Now, I do not think these views would disturb the peace and order of Southern society if I should publish them. If not, in your judgment, why should I be kept in close confinement? I am sure I should not break my parole, if my prison bounds were enlarged to the limits of Alabama. The release of other prisoners and your treatment of leading secessionists throughout the South assures me that your official conduct is not controlled by any vindictiveness of spirit. I know no cause of personal bitterness to me, and do not attribute to such feelings my continued close confinement, but to your sense of public duty under unfavorable impressions created by false accusations. If such be the fact, I think I should be given opportunity to admit or deny them and sustain my answer. I have done nothing that I would deny or conceal. If in your judgment the public interest requires my longer imprisonment I concede that I should not be released. But in that case I hope, in consideration of my asthmatic habit, you will have me removed to some fortress farther south, where I will suffer less bodily pain, because I can enjoy more fresh air. The approaching cold weather will make it necessary in this latitude to keep the doors and windows closed, and consequently the confined air, impregnated with gas from coal and coal-oil, will cause me great distress from oppression of my chest and difficult respiration, if it do not bring on the agonizing spasms, terrible as death, under which I so long suffered. I have written this under severe and unremitting pain, and may not have expressed myself as I would have done if well, but I submit it, confiding in your disposition to do me justice, and trusting that you will take some action on my application ere winter begins.

I am, very respectfully, your obedient servant,

C. C. CLAY, JR.

NEW YORK, *November 23, 1865.*

Lieutenant-General GRANT:

GENERAL: I respectfully submit the accompanying statement* in the full belief that the writer is entitled to protection under the convention between Major-General Sherman and myself, approved by you. As you understand better than I the value of the promise of protection

* Not found.

given in this case by the authorized agents of the Government I will trouble you with no attempt at argument, but ask the interposition of your great influence and authority in favor of Mr. R. B. Winder.

Most respectfully, your obedient servant,

J. E. JOHNSTON.

[Indorsement.]

WASHINGTON, D. C., *December 21, 1865.*

In the absence of the Secretary of War respectfully referred to the President of the United States.

In my opinion the paroles given to the surrendered armies lately in rebellion against the Government should be held inviolate, unless in cases where all rules of civilized warfare have been violated, and in case of such charges an immediate trial should be had. I would respectfully recommend, therefore, that Captain Winder either have an immediate trial or that he be released on bonds for his appearance when called on for trial.

Very respectfully,

U. S. GRANT,
Lieutenant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 23, 1865—1.35 p. m.

Maj. Gen. J. B. STEEDMAN, U. S. Volunteers,
Commanding Department of Georgia, Augusta, Ga.:

The President of the United States directs that A. G. Magrath and James A Seddon, prisoners confined in Fort Pulaski, be released on taking the oath of allegiance to the Government of the United States, prescribed in the amnesty proclamation of President Johnson, and giving their paroles to remain, Magrath within the State of South Carolina and Seddon within the State of Virginia, and abide the orders of the President of the United States. Transportation will be furnished them accordingly. You will please report the receipt and execution of this order.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

Deposition of Farnum B. Wright, taken at the office of the Judge-Advocate-General on the 23d of November, 1865.

The deponent being duly sworn, deposes as follows:

Question. What is your age and of what country are you a native?

Answer. I am thirty-two years of age and am a native of Glasgow, Nova Scotia.

Question. How long have you been in the United States?

Answer. I came into the United States in 1862; went South and engaged there in speculations.

Question. Were you at any time in the service of the so-called Confederate States; if so, how long and in what capacity?

Answer. I was from the early part of 1863 until August of that year in the service of the rebel General Winder at Richmond. My duties were to arrest deserters, spies, and other characters deemed dangerous to the so-called Confederate Government.

Question. What knowledge, if any, have you of an arrangement or conspiracy entered into in 1863 for the kidnaping and, if necessary, the killing of the President of the United States? State fully all the knowledge and information you have on the subject.

Answer. I first learned from General Winder himself that a plot had been formed for kidnaping the President of the United States. I think this was in the summer of 1863. Afterward, while walking down one of the streets of Richmond, I heard loud talking in a drinking saloon, which I entered, and found a man named McCulloh talking to a crowd of persons, and saying that there was a plot laid to kidnap or kill the Yankee President, and that they would have him at Richmond inside of a month to split the wood, to cook the Yankee officers' grub in Libby Prison. I felt it my duty to arrest him, which I did and took him to Castle Thunder. When Mr. Davis, the President of the so-called Confederate States, heard of this he sent to General Winder to know why this arrest had been made. This I learned from General Winder, who told me that I had better go to Mr. Davis' office and explain the matter. I told him I did not care to do so, but he insisted, saying that McCulloh's father was a particular friend of Mr. Davis. I then went and saw Mr. Davis in his office, General Winder accompanying me. General Winder said to Mr. Davis that I was the man who had made the arrest and would explain to him all about it. In reply to Mr. Davis' questions I then related to him what McCulloh had said and that I had felt it my duty to arrest him. Davis seemed much excited about it, and General Winder said that their plans and schemes would be let out by such damned drunken characters as McCulloh and that he ought to be hung. By this time several other gentlemen, Patten, Lamar, and Powell, had come in, having heard what was going on. General Winder continued talking and said that they must now strike immediately before the Yankee Government heard of their plans. He said they must bring "the monkey," meaning President Lincoln, soul and body to Richmond, but that if they could not bring him alive, they must bring his scalp. Mr. Davis then spoke up, saying, "Gentlemen, you must capture him and bring him, if possible, to Richmond, without hurting a hair of his head, but if an attempt is made to recapture him you must see that he never reaches Washington alive." Mr. Patten observed that they would require more means than they had to carry out their purposes, to which Mr. Davis answered by saying to General Winder that he must furnish all necessary means to carry the plan into execution at once. All the gentlemen present were understood to be engaged in it. I then left Mr. Davis' office, the other persons remaining. Before I did so, however, Mr. Davis said I must arrest certain persons present in the drinking saloon, supposed to be blockade runners, who had heard McCulloh's declarations. I made an attempt to find them, but failed to do so.

Question. Do you know why this scheme for kidnaping or killing the President was not carried out at the time?

Answer. I do not. I left General Winder's service soon afterward, and was not again in a position to be informed of what was going on in connection with the proposed capture of the President. I have since seen one of the men engaged in it—John Patten—who was present at our interview with Mr. Davis. He told me he had been promised complete indemnification by Davis' friends for all he had lost from his connection with the enterprise, and that if these promises to him were not fulfilled he would expose all the papers in relation to the matter which he then had in his possession. He resides in Saint Louis.

F. B. WRIGHT.

Sworn and acknowledged at Washington, D. C., this 23d of November, 1865, before me.

GEO. C. THOMAS,
Notary Public.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
November 23, 1865—3.12 p. m.

COMMANDING OFFICER FORT DELAWARE, DEL.:

The President of the United States directs that F. R. Lubbock, a prisoner confined at Fort Delaware, be released on taking the oath of allegiance to the Government of the United States prescribed in the amnesty proclamation of President Johnson, and giving his parole to proceed to the place of his residence and remain there to abide the

orders of the President of the United States. Transportation will be furnished him to his place of residence. You will please report the receipt and execution of this order and the place to which Colonel Lubbock proposes to go.*

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

OLD CAPITOL PRISON, *Washington, November 23, 1865.*

GEORGE T. GARRISON, *Accomac Court-House, Va.:*

MY DEAR GEORGE: I have postponed answering your letter for a few days because I had hoped to be able to give you some favorable news, and *entre nous* I still have hopes. An application has been made to the Secretary of War for my release either unconditionally or by parole, giving bail, if it should be required. Yesterday I received a message from the Secretary saying that my application had not been rejected and that they had the matter under consideration. I have good reasons for knowing that my case has been up before a meeting of the Cabinet and will again be up on to-morrow. Of course I cannot say what their decision will be, but my counsel, Mr. William Linn Brown, who is one of the counselors of the Supreme Court of the United States, thinks that it will be favorable. I yesterday gave him your address as well as Bunting's, and you will soon receive a letter from him in regard to my giving bail if it should be required. I have good reasons for knowing that there has been an order to convene a military commission to try me and I also know that the order has been suspended. Of all these matters I want you to keep a strict silence. In the meantime I want you without fail to have everything of mine removed both from ——— and Higgins. This, George, must be done at once. I have good reasons for it, which I hope I will be able to give you when we meet. Please do not delay this matter a second, and write me at once that it has been done. I do not feel like writing this morning, but will give you a long letter shortly.

Your devoted friend.

R. B. WINDER.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 24, 1865—5.30 p. m.

Maj. Gen. GEORGE H. THOMAS, U. S. Army,
Nashville, Tenn.:

General Grierson reports from Huntsville, Ala., the arrest of Frank B. Gurley, convicted of murdering General R. L. McCook, and sentenced to be hanged. (See General Court-Martial Orders, No. 505, of September 6, 1865, from Adjutant-General's Office.) On the 29th of August, 1865, the President ordered the sentence of death to be executed in this case. You will please see that it is done. Report receipt and execution.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

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*For reports and correspondence relating to the capture and imprisonment of Lubbock, see Series I, Vol. XLIX, Parts I and II.

EXECUTIVE OFFICE, *Washington, D. C., November 21, 1865.*

Maj. Gen. JAMES B. STEEDMAN, *Augusta, Ga.:*

I am free to say that it would be exceedingly impolitic for Mr. A. H. Stephens' name to be used in connection with the senatorial election. If elected he would not be permitted to take his seat, or in other words, he could not take the oath required, other difficulties being out of the way. He stands charged with treason and no disposition has been made of his case. His present position will enable him to do far more good than any other. Mr. Stephens knows that there is no one whose personal feelings are more kind than mine and have been so since we first met in Congress. The information we have here is that all the members elect to Congress from Georgia will not be able to take the oath of office, and a modification of the oath by the present Congress is exceedingly doubtful. I hope you will confer with Mr. Stephens on this subject freely, not as coming from me. There seems in many of the elections something like defiance, which is all out of place at this time.

ANDREW JOHNSON.

EXECUTIVE OFFICE, *Washington, D. C., November 28, 1865.*

Major-General GRIERSON, *Commanding, &c., Huntsville, Ala.:*

You will suspend the execution of Frank B. Gurley until further orders.

ANDREW JOHNSON,
President of the United States.

RICHMOND, VA., *November 28, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: I most respectfully ask permission to visit Mr. Jefferson Davis, prisoner of state at Fortress Monroe, in the capacity of his pastor and spiritual adviser. More than four years ago Mr. Davis attached himself to my congregation in Richmond, and in the spring of 1862 he became a communicant of the church. You, Mr. Secretary, will understand that the interest thus created in him is a sacred one, independent of outward conditions, and also that the ministrations of his own pastor, who has been a witness to his religious experience and received his vows to the Head of the Church, may be supposed to be more effectual and more edifying than those of any other clergyman; nor will you think it strange that both my sympathy and my sense of duty lead me to ask for permission to minister to him the consolations of the gospel in his adversity. Feeling assured that under the proper circumstances the Government would cheerfully award to him this privilege, and hoping that the time has arrived when, in its judgment, it may be allowed, I venture to make this application to you, with the earnest prayer that you will give it a favorable consideration.

My petition itself implies that it is limited to the ministerial and pastoral character of the proposed visit, exclusive of every other object. I could not be so presumptuous as to expect an interview with Mr. Davis for any other purpose; nor would I desire it, as it is not in itself pleasant to witness distress. I will give every guarantee in my power that I will not abuse the privilege if granted, and I pledge my word of honor as a gentleman and Christian minister that I will in no way be

a medium of communication between him and the outer world; that I will observe the strictest silence as to the interview, and avoid all modes of publication, not only as to what passes between us, but, if it be desired, even as to the fact of the visit itself.

Hoping that you may deem it consistent with the interests of the country to grant my petition, and assured that you will rejoice in every act of kindness with which you can relieve the weightier duties of your office, I sign myself with the highest respect,

Your obedient servant,

CHS. MINNIGERODE.

DECEMBER 1, 1865.

I do not see any objection to granting the foregoing request.

JAMES SPEED,
Attorney-General.

[Indorsement.]

WAR DEPARTMENT, *December —, 1865.*

Referred to Adjutant-General to issue order of permission.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 29, 1865.

Maj. Gen. C. C. AUGUR,
Commanding Department of Washington, Washington, D. C.:

SIR: By direction of the President of the United States the following prisoners will be sent under suitable guard without delay and delivered to the officers indicated for trial:

J. W. Duncan, to be delivered to Major-General Steedman, commanding Department of Georgia, for trial at Savannah; R. B. Winder, to Maj. Gen. A. H. Terry, commanding Department of Virginia, at Richmond; J. H. Gee, to Maj. Gen. T. H. Ruger, commanding Department of North Carolina, at Raleigh.

The Secretary of War directs that the Old Capitol Prison be immediately broken up and some other suitable place will be selected by you as a place of confinement for prisoners. You will please report for the Secretary's information the dates of departure of the prisoners Duncan, Winder, and Gee, and the execution of the order breaking up the Old Capitol Prison.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE, *December 2, 1865—3 p. m.*

Maj. Gen. A. H. TERRY,
Commanding Department of Virginia, Richmond, Va.:

R. B. Winder has been sent, by direction of the President, to Richmond to be reported to you for trial. The papers containing charges will be forwarded by mail as soon as received from the Judge-Advocate-General.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
December 2, 1865.

Maj. Gen. J. B. STEEDMAN,
Commanding Department of Georgia, Augusta, Ga.:

J. W. Duncan has been sent, by direction of the President, to Savannah to be reported to you for trial. The papers containing charges will be forwarded by mail as soon as received from the Judge-Advocate-General.

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 2, 1865—4 p. m.

Maj. Gen. P. H. SHERIDAN, *New Orleans, La.:*

Your letter of the 13th of November, reporting the arrest and confinement in Fort Jackson of Maj. Sackfield Maclin, Col. P. N. Luckett, and Thomas J. Devine, is received. The copy of the oath you state as inclosed was not inclosed. Please forward it to this office.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HUNTSVILLE, ALA., *December 4, 1865.*

General GRIERSON, *Huntsville, Ala.:*

Inclosed you will please find a copy of a petition which we respectfully ask you to forward to General G. H. Thomas, Nashville, Tenn., the original of which I have sent forward to President Johnson, Washington, D. C.

Yours, respectfully,

JOSEPH C. BRADLEY.

[Inclosure.]

HUNTSVILLE, ALA., *November 30, 1865.*

His Excellency ANDREW JOHNSON,
President of the United States of America, Washington, D. C.:

The undersigned beg leave to show unto Your Excellency that Frank B. Gurley, late a captain in the rebel army, is, as they learn, sentenced to be hanged by the decision of a military commission, before whom he was tried on the charge, as they learn, of murdering General McCook in Madison County in 1862. They of course know nothing, and make no representations as to the facts proved on the trial of said matter. They beg leave to show that the said Gurley since the surrender has been at his house in this county, and that his demeanor and avowed sentiments have all been loyal, and exhibit entire good faith in abiding by his amnesty oath. Mr. Gurley is not understood in this community to have been a bitter partisan; he was not an original secessionist, and is known to have rendered valuable assistance in arresting persecution of Union men for their political opinions. The undersigned further show that they are and have been in the late rebellion honestly and from the heart devoted to the preservation of the Union,

and although some of the undersigned were at different periods of the rebellion within the Confederate lines and had to do acts, under the force of military power and public opinion, to aid the rebel cause, yet they never entertained a hostile or malicious feeling against the United States Government, and hoped through the darkest hour of the rebellion for the perpetuity of the Federal Union as the only remaining hope for the continuance of a free or people's government on this continent, and that they candidly believe the execution of the said Gurley would have a tendency to retard the gravitation of popular sentiment, now, as we believe, advancing in a loyal attachment to the Union. The mercy to a people which the amnesty proclamation of Your Excellency exhibits ought to subdue the ferocity of the lion to the gentleness of the lamb. We therefore sincerely beseech you that Frank B. Gurley may be spared as a monument to the gentleness and mercy of a magnanimous people, as showing to the world that they prefer that life should be spared when the public safety permits.

JOSEPH C. BRADLEY.
[And seventy-three others.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., December 4, 1865.

Application having been made by the Rev. Charles Minnigerode, of the city of Richmond, for permission to visit Jefferson Davis in Fortress Monroe as a spiritual adviser and for religious purposes, set forth in the letter of Mr. Minnigerode, dated November 28, 1865, addressed to the Secretary of War, it is ordered that such permission be granted for the purposes and subject to the engagements specified in the said letter.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., December 6, 1865.

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I have the honor to inclose a consolidated report of exchanged and paroled prisoners of war during the rebellion. This report has been compiled from a very large body of individual reports of officers and men, extending from a few in number to entire armies, which have been received from time to time since the beginning of the rebellion at the office of the Commissary-General of Prisoners, which, until very recently (except a few weeks while under the charge of General Wessells), has been under the charge of Brig. Gen. William Hoffman, under whose direction this report has been prepared, the undersigned claiming no part of the credit due for the industry and care employed in its preparation. It is but just to say that in the preparation of this report General Hoffman has received the valuable assistance of Maj. W. T. Hartz, assistant commissary-general of prisoners.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

[Inclosure.]

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Federal prisoners of war declared exchanged by General Orders, No. 118, August 27, 1862.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	2	13	11	26	151	261
Rebel prisoners of war on parole August 27, 1862.									
Captured and paroled and delivered on parole for exchange.	.....	.....	1	7	27	33	42	150	405
Excess of rebels on parole	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 134, September 19, 1862.									
Received on parole for exchange	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rebel prisoners of war on parole September 19, 1862.									
Captured and paroled and [delivered on parole] paroled for exchange.	.....	.....	.....	.....	3	1	7	22	38
Excess of rebels on parole August 27, 1862.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess on parole (rebels)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 147, September 30, 1862.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	.....	5	9	6	75	137
Rebel prisoners of war on parole September 30, 1862.									
Delivered on parole for exchange	.....	.....	.....	.....	22	10	10	316	836
Excess on parole September 19, 1862	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess on parole (rebels)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 191, November 19, 1862.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	2	16	12	12	200	417
Rebel prisoners of war on parole November 19, 1862.									
Captured and paroled and delivered on parole for exchange.	.....	.....	.....	1	14	14	14	293	464
Excess on parole September 30, 1862	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess on parole (rebels)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 10, January 10, 1863.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	.....	25	18	35	234	492

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Federal prisoners of war declared exchanged by General Orders, No. 118, August 27, 1862.									
Captured and paroled and received on parole for exchange.	840	8,289	9,593	12,472	4	36	19	7	9,659
Rebel prisoners of war on parole August 27, 1862.									
Captured and paroled and delivered on parole for exchange.	751	7,556	8,972	12,829	7	27	26	69	9,101
Excess of rebels on parole				357					
Federal prisoners of war declared exchanged by General Orders, No. 134, September 19, 1862.									
Received on parole for exchange	815	4,269	5,084	5,899				92	5,176
Rebel prisoners of war on parole September 19, 1862.									
Captured and paroled and [delivered on parole] paroled for exchange.	455	5,879	6,405	7,184	1	2	2	4	6,414
Excess of rebels on parole August 27, 1862.				357					
Excess on parole (rebels)				1,642					
Federal prisoners of war declared exchanged by General Orders, No. 147, September 30, 1862.									
Captured and paroled and received on parole for exchange.	275	5,156	5,663	6,917	1		1	5	5,670
Rebel prisoners of war on parole September 30, 1862.									
Delivered on parole for exchange	1,003	8,267	10,464	16,023	1	4	2	32	10,503
Excess on parole September 19, 1862				1,642					
Excess on parole (rebels)				10,748					
Federal prisoners of war declared exchanged by General Orders, No. 191, November 19, 1862.									
Captured and paroled and received on parole for exchange.	2,311	16,495	19,465	24,481			2	278	19,745
Rebel prisoners of war on parole November 19, 1862.									
Captured and paroled and delivered on parole for exchange.	1,685	13,278	15,763	20,744	9	13	5	38	15,828
Excess on parole September 30, 1862				10,748					
Excess on parole (rebels)				7,011					
Federal prisoners of war declared exchanged by General Orders, No. 10, January 10, 1863.									
Captured and paroled and received on parole for exchange.	2,170	15,980	18,954	24,527	7	9	9	177	19,156

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Rebel prisoners of war on parole January 10, 1863.									
Captured and paroled and delivered on parole for exchange.	.....	.....	.....	1	14	9	10	155	363
Excess on parole November 19, 1862	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of Federal prisoners exchanged.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 117, May 9, 1863.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	2	12	13	22	139	242
Rebel prisoners of war on parole May 9, 1863.									
Captured and paroled and delivered on parole for exchange.	.....	.....	.....	2	17	16	23	230	501
Excess of Federal prisoners exchanged.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of Federals on former exchanges	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total excess	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 167, June 8, 1863.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	1	9	13	11	102	195
Rebel prisoners of war on parole June 8, 1863.									
Captured and paroled and delivered on parole for exchange.	.....	.....	.....	.....	.....	.....	3	22	59
Excess of Federals exchanged	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of Federals on former exchanges	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total excess	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 339, October 16, 1863.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	.....	1	1	1	28	53
Rebel prisoners of war on parole October 16, 1863.									
Captured and paroled and delivered on parole for exchange.	.....	1	4	11	51	37	88	593	1,390
Excess of rebels paroled	.....	.....	.....	.....	.....	.....	.....	.....	.....
Less excess of Federals exchanged by former orders.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of rebels on parole	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 191, May 7, 1864.									
Captured and paroled and received on parole for exchange.	.....	.....	.....	3	9	9	14	68	119

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Rebel prisoners of war on parole January 10, 1863.									
Captured and paroled and delivered on parole for exchange.	522	5,170	6,244	8,996	8	31	32	60	6,375
Excess on parole November 19, 1862				7,011					
Excess of Federal prisoners exchanged.				8,520					
Federal prisoners of war declared exchanged by General Orders, No. 117, May 9, 1863.									
Captured and paroled and received on parole for exchange.	1,632	8,937	10,999	14,529		2	7	506	11,514
Rebel prisoners of war on parole May 9, 1863.									
Captured and paroled and delivered on parole for exchange.	721	8,975	10,485	14,440	1	34	8	611	11,139
Excess of Federal prisoners exchanged.				89					
Excess of Federals on former exchanges				8,520					
Total excess				8,609					
Federal prisoners of war declared exchanged by General Orders, No. 167, June 8, 1863.									
Captured and paroled and received on parole for exchange.	693	3,145	4,169	6,296			1		4,170
Rebel prisoners of war on parole June 8, 1863.									
Captured and paroled and delivered on parole for exchange.	444	4,125	4,653	5,405		3	10	76	4,742
Excess of Federals exchanged				891					
Excess of Federals on former exchanges				8,609					
Total excess				9,500					
Federal prisoners of war declared exchanged by General Orders, No. 339, October 16, 1863.									
Captured and paroled and received on parole for exchange.	3,109	14,919	18,112	21,550			3		18,115
Rebel prisoners of war on parole October 16, 1863.									
Captured and paroled and delivered on parole for exchange.	6,326	36,039	44,540	60,088	4	7	4	227	44,782
Excess of rebels paroled				38,538					
Less excess of Federals exchanged by former orders.				9,500					
Excess of rebels on parole				29,038					
Federal prisoners of war declared exchanged by General Orders, No. 191, May 7, 1864.									
Captured and paroled and received on parole for exchange.	1,509	6,077	7,808	10,376	6	103	7	431	8,355

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Rebel prisoners of war on parole May 7, 1864.									
Captured and paroled and delivered on parole for exchange.	.....	.....	.....	2	17	14	18	83	144
Excess of rebels on parole October 16, 1863.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total of rebels on parole	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of rebels on parole	.....	.....	.....	.....	.....	.....	.....	.....	.....
Exchanges, special.									
Federals declared exchanged by General Orders—									
No. 255, September 12, 1864	.....	.....	.....	5	11	26	9	1	1
No. 261, September 22, 1864	.....	.....	.....	.....	.....	.....	.....	.....	1
No. 267, October 4, 1864	.....	.....	.....	.....	.....	.....	.....	1	3
No. 274, October 19, 1864	.....	.....	.....	.....	.....	.....	1	1	.....
No. 283, November 14, 1864	.....	.....	.....	.....	.....	.....	1	2	3
No. 284, November 15, 1864	.....	.....	.....	.....	.....	.....	2	18	23
No. 295, December 2, 1864	.....	.....	1	.....	5	4	8	61	67
	.....	.....	1	5	16	30	21	84	98
Federal prisoners of war declared exchanged by General Orders, No. 298, December 6, 1864.									
Received on parole for exchange	.....	.....	.....	1	8	15	13	99	261
Rebel prisoners of war on parole December 6, 1864.									
Delivered on parole for exchange	.....	.....	2	4	23	27	41	188	427
Excess of rebels on parole May 7, 1864	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess	.....	.....	.....	.....	.....	.....	.....	.....	.....
Less Federals specially exchanged	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of rebels on parole December 6, 1864.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 40, March 20, 1865.									
Received on parole for exchange	.....	.....	2	2	12	16	36	242	506
Rebel prisoners of war on parole March 20, 1865.									
Delivered on parole for exchange	.....	.....	1	3	25	29	53	488	1,089
Excess on parole (rebels) December 6, 1864.	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess on parole March 20, 1865 (rebels).	.....	.....	.....	.....	.....	.....	.....	.....	.....
Citizen prisoners, Federals, declared exchanged by General Orders, No. 46, from Adjutant-General's Office, March 21, 1865.									
Received on parole for exchange	.....	.....	.....	.....	.....	.....	.....	.....	.....

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Rebel prisoners of war on parole May 7, 1864.									
Captured and paroled and delivered on parole for exchange.	648	3,462	4,388	6,411	13	74	61	21	4,557
Excess of rebels on parole October 16, 1863.	.....	.....	.....	29,038	....	....	....	.....	.....
Total of rebels on parole	.....	.....	.....	35,449	....	....	....	.....	.....
Excess of rebels on parole	.....	.....	.....	25,073	....	....	....	.....	.....
Exchanges, special.									
Federals declared exchanged by General Orders—									
No. 255, September 12, 1864	.....	1	54	608	....	....	....	.....	54
No. 261, September 22, 1864	1	8	10	14	....	....	....	.....	10
No. 267, October 4, 1864	11	85	100	125	....	....	....	.....	100
No. 274, October 19, 1864	1	.....	3	16	....	....	....	.....	3
No. 283, November 14, 1864	18	68	92	136	....	....	....	.....	92
No. 284, November 15, 1864	66	183	313	594	....	....	....	4	317
No. 295, December 2, 1864	214	768	1,128	2,949	....	....	....	.....	1,128
Total	311	1,113	1,700	3,542	....	....	....	4	1,704
Federal prisoners of war declared exchanged by General Orders, No. 298, December 6, 1864.									
Received on parole for exchange	1,433	7,173	8,943	11,831	8	39	4	23	9,017
Rebel prisoners of war on parole December 6, 1864.									
Delivered on parole for exchange	1,016	6,467	8,198	12,447	10	29	40	25	8,302
Excess of rebels on parole May 7, 1864	.....	.....	.....	25,073	....	....	....	.....	.....
Total	.....	.....	.....	37,520	....	....	....	.....	.....
Excess	.....	.....	.....	25,689	....	....	....	.....	.....
Less Federals specially exchanged	.....	.....	.....	3,542	....	....	....	.....	.....
Excess of rebels on parole December 6, 1864.	.....	.....	.....	22,147	....	....	....	.....	.....
Federal prisoners of war declared exchanged by General Orders, No. 40, March 20, 1865.									
Received on parole for exchange	3,122	12,606	16,544	23,074	....	....	2	.....	16,546
Rebel prisoners of war on parole March 20, 1865.									
Delivered on parole for exchange	2,991	19,186	23,865	33,641	1	26	47	266	24,205
Excess on parole (rebels) December 6, 1864.	.....	.....	.....	22,147	....	....	....	.....	.....
Total	....	.....	.....	55,788	....	....	....	.....	.....
Excess on parole March 20, 1865 (rebels).	.....	.....	.....	32,714	....	....	....	.....	.....
Citizen prisoners, Federals, declared exchanged by General Orders, No. 46, from Adjutant-General's Office, March 21, 1865.									
Received on parole for exchange	.....	.....	.....	.....	....	....	....	204	204

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Federal prisoners of war declared exchanged, special.									
Exchanged by General Orders—									
No. 57, April 7, 1865	.....	.....	.....	.....	.....	.....	.....	1	7
No. 63, April 8, 1865	.....	.....	.....	.....	.....	.....	1	5	11
Federal prisoners of war declared exchanged by General Orders, No. 75, April 26, 1865.									
Received on parole for exchange	.....	.....	.....	.....	3	8	20	283	762
Rebel prisoners of war on parole April 26, 1865.									
Delivered on parole for exchange	.....	.....	.....	.....	1	11	4	.....	200
Excess on parole—									
March 20, 1865 (rebels)	.....	.....	.....	.....	.....	.....	.....	.....	.....
April 26, 1865 (rebels)	.....	.....	.....	.....	.....	.....	.....	.....	.....
Federal prisoners of war declared exchanged, special.									
Exchanged by General Orders—									
No. 89, May 10, 1865	.....	.....	.....	.....	.....	.....	.....	.....	3
No. 103, May 31, 1865	.....	.....	.....	.....	.....	1	.....	2	17
Federal prisoners of war on parole not declared exchanged.									
Received on parole for exchange	.....	.....	.....	.....	.....	.....	6	25	62
Rebel prisoners of war paroled for exchange since April 26, 1865.									
Delivered on parole for exchange	.....	.....	.....	.....	5	6	10	62	193
Excess of rebels on parole April 26, 1865	.....	.....	.....	.....	.....	.....	.....	.....	.....
Excess of rebels paroled for exchange	.....	.....	.....	.....	.....	.....	.....	.....	.....
Miscellaneous paroles (rebels)	.....	.....	.....	.....	2	.....	7	125	83
Paroled armies, rebel.									
Army of Northern Virginia, commanded by General R. E. Lee.	1	2	11	27	57	67	166	768	1,291
Army of Tennessee and others, commanded by General J. E. Johnston.	3	2	13	28	105	117	280	1,059	1,779
General M. Jeff. Thompson's army of Missouri.	.....	.....	.....	1	12	13	24	344	735
Miscellaneous paroles, Department of Virginia.	.....	.....	3	7	21	12	46	246	342
Paroled at Cumberland, Md., and other stations.	.....	.....	.....	2	15	14	43	195	343
Paroled by General McCook in Alabama and Florida.	.....	.....	2	3	14	6	35	161	294
Army of the Department of Alabama, Lieut. Gen. R. Taylor.	.....	1	2	25	120	99	286	1,327	2,371
Army of the Trans-Mississippi Department, General E. K. Smith.	.....	1	6	9	48	43	93	375	805
Paroled in the Department of Washington.	.....	.....	.....	1	5	3	6	53	106
Paroled in Virginia, Tennessee, Georgia, Alabama, Louisiana, and Texas.	.....	.....	1	9	42	28	77	344	613
Surrendered at Nashville and Chattanooga, Tenn.	.....	.....	.....	1	13	16	36	214	373
Total	4	6	38	113	452	418	1,092	5,086	9,052

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Federal prisoners of war declared exchanged, special.									
Exchanged by General Orders—									
No. 57, April 7, 1865	2	9	19	47	....	....	....	2	21
No. 63, April 8, 1865	121	610	748	934	....	....	....	.....	748
Federal prisoners of war declared exchanged by General Orders, No. 75, April 26, 1865.									
Received on parole for exchange	2,491	8,858	12,425	18,871	....	....	....	.....	12,425
Rebel prisoners of war on parole April 26, 1865.									
Delivered on parole for exchange	370	1,548	2,134	3,245	3	1	2	25	2,165
Excess on parole—									
March 20, 1865 (rebels)	.....	.....	.....	32,714	....	....	....	.....	.....
April 26, 1865 (rebels)	.....	.....	.....	16,107	....	....	....	.....	.....
Federal prisoners of war declared exchanged, special.									
Exchanged by General Orders—									
No. 89, May 10, 1865	23	100	126	158	....	....	....	.....	126
No. 103, May 31, 1865	54	321	395	519	....	....	....	.....	395
Federal prisoners of war on parole not declared exchanged.									
Received on parole for exchange	1,544	7,423	9,060	10,957	....	....	....	209	9,269
Rebel prisoners of war paroled for exchange since April 26, 1865.									
Delivered on parole for exchange	923	5,600	6,799	8,805	....	5	21	41	6,866
Excess of rebels on parole April 26, 1865	.....	.....	.....	16,107	....	....	....	.....	.....
Excess of rebels paroled for exchange	.....	.....	.....	13,278	....	....	....	.....	.....
Miscellaneous paroles (rebels)	57	463	737	1,745	1	9		14	761
Paroled armies, rebel.									
Army of Northern Virginia, commanded by General R. E. Lee.	4,366	20,660	27,416	.....	51	320		18	27,805
Army of Tennessee and others, commanded by General J. E. Johnston.	4,888	22,274	30,548	36,971	41	557		97	31,243
General M. Jeff. Thompson's army of Missouri.	636	6,195	7,960	.....	1	13		4	7,978
Miscellaneous paroles, Department of Virginia.	736	7,223	8,636	.....	16	193		227	9,072
Paroled at Cumberland, Md., and other stations.	626	8,022	9,260	.....	6	38		73	9,377
Paroled by General McCook in Alabama and Florida.	650	5,142	6,307	.....	....	45		76	6,428
Army of the Department of Alabama, Lieut. Gen. R. Taylor.	5,030	32,596	41,857	.....	25	343		68	42,293
Army of the Trans-Mississippi Department, General E. K. Smith.	1,758	14,411	17,549	.....	11	103		23	17,686
Paroled in the Department of Washington.	197	2,975	3,346	.....	5	37		2	3,390
Paroled in Virginia, Tennessee, Georgia, Alabama, Louisiana, and Texas.	1,047	11,673	13,834	.....	3	54		31	13,922
Surrendered at Nashville and Chattanooga, Tenn.	526	3,746	4,925	.....	7	69		28	5,029
Total	20,460	134,917	171,638	266,637	166	1,772		647	174,223

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

RECAPITULATION, FEDERALS.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Exchanged by General Orders—									
No. 118, from Adjutant-General's Office, August 27, 1862.	.....	.....	.....	2	13	11	26	151	261
No. 134, from Adjutant-General's Office, September 19, 1862.	.....	.....	.....	.....	.....	.....	.....	.....	.....
No. 147, from Adjutant-General's Office, September 30, 1862.	.....	.....	.....	.....	5	9	6	75	137
No. 191, from Adjutant-General's Office, November 19, 1862.	.....	.....	.....	2	16	12	12	200	417
No. 10, from Adjutant General's Office, January 10, 1863.	.....	.....	.....	.....	25	18	35	234	492
No. 117, from Adjutant-General's Office, May 9, 1863.	.....	.....	.....	2	12	13	22	139	242
No. 167, from Adjutant-General's Office, June 8, 1863.	.....	.....	.....	1	9	13	11	112	195
No. 339, from Adjutant-General's Office, October 16, 1863.	.....	.....	.....	.....	1	1	1	28	53
No. 191, from Adjutant-General's Office, May 7, 1864.	.....	.....	.....	3	9	9	14	68	119
Special exchanges from September 12, 1864, to December 2, 1864.	.....	.....	1	5	16	30	21	84	98
Exchanged by General Orders—									
No. 298, from Adjutant-General's Office, December 6, 1864.	.....	.....	.....	1	8	15	13	99	201
No. 40, from Adjutant-General's Office, March 20, 1865.	.....	.....	2	2	12	16	36	242	506
No. 46, from Adjutant-General's Office, March 21, 1865.	.....	.....	.....	.....	.....	.....	.....	.....	.....
No. 57, from Adjutant-General's Office, April 7, 1865.	.....	.....	.....	.....	.....	.....	.....	1	7
No. 63, from Adjutant-General's Office, April 8, 1865.	.....	.....	.....	.....	.....	.....	1	5	11
No. 75, from Adjutant-General's Office, April 26, 1865.	.....	.....	.....	.....	3	8	20	283	762
No. 89, from Adjutant-General's Office, May 10, 1865.	.....	.....	.....	.....	.....	.....	.....	.....	3
No. 103, from Adjutant-General's Office, May 31, 1865.	.....	.....	.....	.....	.....	1	.....	2	17
On parole not declared exchanged	.....	.....	.....	.....	.....	.....	6	25	62
	.....	.....	3	18	129	156	224	1,738	3,583

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Exchanged by General Orders—									
No. 118, from Adjutant-General's Office, August 27, 1862.	840	8,289	9,593	12,472	4	36	19	7	9,659
No. 134, from Adjutant-General's Office, September 19, 1862.	815	4,269	5,084	5,899	....	....	....	92	5,176
No. 147, from Adjutant-General's Office, September 30, 1862.	275	5,156	5,663	6,917	1	....	1	5	5,670
No. 191, from Adjutant-General's Office, November 19, 1862.	2,311	16,495	19,465	24,481	....	....	2	278	19,745
No. 10, from Adjutant-General's Office, January 10, 1863.	2,170	15,980	18,954	24,527	7	9	9	177	19,156
No. 117, from Adjutant-General's Office, May 9, 1863.	1,632	8,937	10,999	14,529	....	2	7	506	11,514
No. 167, from Adjutant-General's Office, June 8, 1863.	693	3,145	4,169	6,296	....	....	1	.....	4,170

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

RECAPITULATION, FEDERALS—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Exchanged by General Orders—									
No. 339, from Adjutant-General's Office, October 16, 1863.	3,109	14,919	18,112	21,550	....	....	3	.....	18,115
No. 191, from Adjutant-General's Office, May 7, 1864.	1,509	6,077	7,808	10,376	6	103	7	431	8,355
Special exchanges from September 12, 1864, to December 2, 1864.	311	1,113	1,700	3,542	....	....	....	4	1,704
Exchanged by General Orders—									
No. 298, from Adjutant-General's Office, December 6, 1864.	1,433	7,173	8,943	11,831	8	39	4	23	9,017
No. 40, from Adjutant-General's Office, March 20, 1865.	3,122	12,606	16,544	23,074	....	....	2	.....	16,546
No. 46, from Adjutant-General's Office, March 21, 1865.	.....	.....	.....	.....	....	....	....	204	204
No. 57, from Adjutant-General's Office, April 7, 1865.	2	9	19	47	....	....	....	2	21
No. 63, from Adjutant-General's Office, April 8, 1865.	121	610	748	934	....	....	....	.....	748
No. 75, from Adjutant-General's Office, April 26, 1865.	2,491	8,858	12,425	18,871	....	....	....	.....	12,425
No. 89, from Adjutant-General's Office, May 10, 1865.	23	100	126	158	....	....	....	.....	126
No. 103, from Adjutant-General's Office, May 31, 1865.	54	321	395	519	....	....	....	.....	395
On parole not declared exchanged	1,544	7,423	9,060	10,957	....	....	....	209	9,269
	22,455	121,480	149,807	196,980	26	244		1,938	152,015

RECAPITULATION, REBELS.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Paroled up to August 27, 1862	.....	.....	1	7	27	33	42	150	405
Paroled from—									
August 27, 1862, to September 19, 1862.	.....	.....	.....	.....	3	1	7	22	38
September 19, 1862, to September 30, 1862.	.....	.....	.....	.....	22	10	10	316	836
September 30, 1862, to November 19, 1862.	.....	.....	.....	1	14	14	14	293	464
November 19, 1862, to January 10, 1863.	.....	.....	.....	1	14	9	10	155	363
January 10, 1863, to May 9, 1863	.....	.....	.....	2	17	16	23	230	501
May 9, 1863, to June 8, 1863	.....	.....	.....	.....	.....	.....	3	22	59
June 8, 1863, to October 16, 1863	.....	1	4	11	51	37	88	593	1,390
October 16, 1863, to May 7, 1864	.....	.....	.....	2	17	14	18	83	144
May 7, 1864, to December 6, 1864	.....	.....	2	4	23	27	41	188	427
December 6, 1864, to March 20, 1865	.....	.....	1	3	25	29	53	488	1,089
March 20, 1865, to April 26, 1865	.....	.....	.....	.....	1	11	4	.....	200
Paroled since April 26, 1865	.....	.....	.....	.....	5	6	10	62	193
Miscellaneous paroles	.....	.....	.....	.....	2	.....	7	125	83
Paroled armies	4	6	38	113	452	418	1,092	5,086	9,052
Total	4	7	46	144	673	625	1,422	7,813	15,244

Consolidated report of exchanged and paroled prisoners of war during the secession rebellion—Continued.

RECAPITULATION, REBELS—Continued.

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Paroled up to August 27, 1862	751	7,556	8,972	12,829	7	27	26	69	9,101
Paroled from—									
August 27, 1862, to September 19, 1862.	455	5,879	6,405	7,184	1	2	2	4	6,414
September 19, 1862, to September 30, 1862.	1,003	8,267	10,464	16,023	1	4	2	32	10,503
September 30, 1862, to November 19, 1862.	1,685	13,278	15,763	20,744	9	13	5	38	15,828
November 19, 1862, to January 10, 1863.	522	5,170	6,244	8,996	8	31	32	60	6,375
January 10, 1863, to May 9, 1863	721	8,975	10,485	14,440	1	34	8	611	11,139
May 9, 1863, to June 8, 1863	444	4,125	4,653	5,405	....	3	10	76	4,742
June 8, 1863, to October 16, 1863	6,326	36,039	44,540	60,088	4	7	4	227	44,782
October 16, 1863, to May 7, 1864	648	3,462	4,388	6,411	13	74	61	21	4,557
May 7, 1864, to December 6, 1864	1,016	6,467	8,198	12,447	10	29	40	25	8,302
December 6, 1864, to March 20, 1865	2,901	19,186	23,865	33,641	1	26	47	266	24,205
March 20, 1865, to April 26, 1865	370	1,548	2,134	3,245	3	1	2	25	2,165
Paroled since April 26, 1865	923	5,600	6,799	8,805	....	5	21	41	6,866
Miscellaneous paroles	57	463	737	1,745	1	9		14	761
Paroled armies	20,460	134,917	171,638	266,637	166	1,772		647	174,223
Total	38,372	260,932	325,285	478,640	225	2,297		2,156	329,963

RECAPITULATION, TOTALS.

	Generals.	Lieutenant-generals.	Major-generals.	Brigadier-generals.	Colonels.	Lieutenant-colonels.	Majors.	Captains.	Lieutenants.
Rebels	4	7	46	144	673	625	1,422	7,813	15,244
Federals	.....	.....	3	18	129	156	224	1,738	3,583
Excess of rebels on parole	4	7	43	126	544	469	1,198	6,075	11,661

	Non-commissioned officers.	Privates.	Aggregate.	Equivalents in privates.	Chaplains.	Surgeons.	Assistant surgeons.	Citizens.	Total aggregate.
Rebels	38,372	260,932	325,285	478,640	225	2,297		2,156	329,963
Federals	22,455	121,480	149,807	196,980	26	244		1,938	152,015
Excess of rebels on parole	15,917	139,452	175,478	281,660	199	2,053		218	177,948

E. A. HITCHCOCK,
Major-General, U. S. Volunteers, Commissary-General of Prisoners.

[DECEMBER 6, 1865.—For Holt to Stanton, in regard to the alleged complicity of Clement C. Clay in various crimes against the laws and usages of war, &c., see inclosure No. 1, Holt to Stanton, January 18, 1866, p. 855.]

FORT MONROE, *December 9, 1865.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

The Rev. Charles Minnigerode, of Richmond, Va., appears here with an order from the Secretary of War dated December 4, 1865, granting him an interview with Jefferson Davis as a spiritual adviser. Is the order genuine and sufficient for me [to] admit him?

NELSON A. MILES,
Major-General.

HOFFMAN HOUSE, *New York, December 10, 1865.*

Hon. EDWIN M. STANTON,
Secretary of War, Washington, D. C.:

SIR: The Tallahassee correspondent of the New York Herald, while urging upon President Johnson that the clemency already granted to several prominent Southern leaders be extended also to Mallory, Yulee, and other distinguished rebel gentlemen of Florida, says, in behalf of Mr. Mallory, "that he was very anxious at the beginning of the war to prevent disruption between the people of the South and the Government of the United States, and was bitterly assailed in his own State as having prevented the capture of Fort Pickens when it might have been made at that time." These statements are all false. While in command of West Florida I visited Tallahassee and found in the State archives some of the most treasonable dispatches sent by Mallory to the Florida State convention in January, 1861, while he was still sitting in the U. S. Senate in Washington. These dispatches are in direct contradiction with the above misrepresentations. Instead of preventing disruption between the people of the South and the Government of the United States, and especially preventing the capture of Fort Pickens, he was actually urging both the secession of the South and the speedy occupation of the Pensacola forts. I thought it proper to take official copies of some of these dispatches, and beg leave to submit them herewith, as follows:

WASHINGTON, D. C., *January 6, 1861.*

The PRESIDENT OF THE FLORIDA CONVENTION:

I send for the information of the convention the resolutions* passed by a meeting of Southern Senators of last evening.

S. R. MALLORY.

These documents will throw proper light upon the character of Mallory and Yulee without further comment.†

I have the honor to be, sir, very respectfully, your obedient servant,

A. ASBOTH,
Brevet Major-General of Volunteers.

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* Omitted here; see Series I, Vol. I, p. 443.

† See Perry to McGehee, Series I, Vol. I, p. 444, for other documents inclosed.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 10, 1865—2.40 p. m.

Maj. Gen. N. A. MILES, *Commanding, Fort Monroe, Va.:*

Rev. Charles Minnigerode, of Richmond, has permission from the Secretary of War to visit Jefferson Davis, and the order is sufficient for you to admit him.

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fortress Monroe, Va., December 12, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Davis and Clay as well as usual.* The Rev. Charles Minnigerode was in consultation with Davis six hours yesterday. Last evening he administered the sacrament to him. The conversation was principally on religious matters.

I am, general, most respectfully, your obedient servant,
NELSON A. MILES,
Major-General of Volunteers, Commanding.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
December 12, 1865.

Maj. Gen. A. H. TERRY,
Commanding Department of Virginia, Richmond, Va.:

GENERAL: In the case of R. B. Winder, a prisoner lately forwarded to you from the Department of Washington to be tried at Richmond for violation of the laws of war, in cruel treatment of Federal prisoners, &c., I am instructed by the honorable Secretary of War to request you not to proceed with the trial until you shall be furnished with such testimony in the case as is in the possession of the Government, as well as with the specific charges, in case it shall be determined to prepare the same at this Bureau.

I have the honor to be, very respectfully, your obedient servant,
J. HOLT,
Judge-Advocate-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
December 13, 1865.

Respectfully returned to the Secretary of War.†

The careful investigation which, as appears from the within papers, has been made of the circumstances surrounding the disappearance and probable murder of Capt. Hiram S. Hanchett, Sixteenth Illinois Cavalry, on or about April 2 last, while a prisoner of war in the enemy's hands, induces unquestionably the conclusion, which has been adopted by those charged with the inquiry, that this officer, while pretended to be transported to the place at which he was assured that he would be exchanged, was foully dealt with by Lieutenant-Colonel Jones, of the

* Through the months of November and December, 1865, General Miles' daily reports represent Mr. Davis as "well."

†See Boggs to Magee, November 12, p. 794.

rebel Army, commanding post at Cahaba, Ala., or by his immediate orders; and that Jones, his adjutant, Lieutenant Robinson, and two soldiers of the rebel guard (P. B. Vaughn and Phelin Vaughn, jr.), who accompanied Jones and Robinson at the time, are jointly chargeable with Hanchett's death.

As the facts in the case are so few and simple it is thought that no further investigation is necessary; and it is advised that the commander of the Department of Alabama be instructed to arrest, if practicable, all the parties and bring them to trial jointly upon a charge of murder in violation of the laws of war.

It seems that the arrest of the Vaughns may be readily effected. It is not stated where Robinson now is, but as it is represented that Jones is probably in New Orleans, La., authority should be given for his arrest at that point. The trial should be had at Cahaba, Ala., where all or nearly all the material witnesses reside; and if it is found impracticable, after reasonable efforts made, to apprehend any one or more of the party, the others should, notwithstanding, be put upon trial.

J. HOLT,
Judge-Advocate-General.

RICHMOND, VA., *December 14, 1865.*

Hon. E. M. STANTON,
Secretary of War United States of America:

SIR: I have the honor to report that in accordance with the permission so promptly and generously granted by you I proceeded to Fortress Monroe on Saturday last (December 9). On Monday Major-General Miles afforded me the opportunity of visiting the prisoner, and I feel deeply obliged to you for the liberty extended to me of a full and free intercourse with Mr. Davis.

It will be gratifying to you to receive from me the statement, not only that I found him in improved health, but also the acknowledgment that his room is a very excellent one, and that as far as I could judge his present confinement is of such a character as must answer the reasonable wishes of his friends and as reflects credit upon the Government which, whilst it feels bound to keep him in strict custody, shows its desire to avoid all unnecessary severity and relieve him as far as possible from personal annoyances.

The privilege you accorded to me I know to have been most highly appreciated by Mr. Davis, more so perhaps than any he has enjoyed heretofore. I was enabled to administer to him the sacrament of the Lord's Supper, and it gives me infinite pleasure to say that I never saw more respect paid to that sacred ceremony; a perfect and unbroken silence reigning through the whole building, not a step of the sentinels nor a breath of the officers in the adjoining room to interrupt the solemnity of the hour, and all appearing touched by its peculiar associations. I believe I can say without egotism that my visit has been productive of real good to the prisoner, and I am convinced that an occasional repetition of my visit would be both edifying to him and in perfect harmony with the humane views of the Government.

Upon my inquiry of General Miles whether the permission granted by you would allow of a repetition of my visit he said that however glad he would be to admit me again he felt bound to construe my pass as being limited to this one visit and advised me to lay that question before you. I do so most respectfully, with the hesitation natural in any one who

does not wish to appear intrusive or exacting, and yet in the earnest hope that an occasional visit from his pastor, limited altogether to its religious and pastoral character (say once or twice a month if his confinement continues), may not militate against the views which will commend themselves to your judgment. I hardly need repeat the assurance which I gave before that I would in no way abuse the privilege, but I can add now that Mr. Davis himself perfectly understands the nature of my intercourse with him, and, as a man of honor, would not expect anything else from me.

If amidst your many and urgent engagements you can find time to favor me with a reply or cause directions to be given me as to my petition involved in the above you will add to the obligation under which I truly feel myself to you.

With the highest respect, sir, your obedient servant,

CHS. MINNIGERODE.

STEAMER LOUISE,

En route from Mobile to New Orleans, December 17, 1865.

Lieut. Gen. U. S. GRANT:

SIR: I inclose a copy of a protest which will explain itself. This protest was handed by me to General Woods, commanding at Mobile, on the 16th instant, upon my leaving that city for Washington. As Commander-in-Chief (under the President) of the armies of the United States, and the commanding general under whose orders and authority General Sherman acted, I respectfully request that you will make known to the President of the United States the facts stated in the protest and ask to have my arrest, in violation of a solemn military capitulation annulled. I need not say to you that by the terms of the capitulation I am to be unmolested in person for any act of war committed anterior to the date thereof. In other words, General Sherman stipulated, with your consent and approbation, that so far as the molestation of person was concerned there was to be an oblivion of all past acts of war. I have been arrested for my escape off Cherbourg, after my ship sunk from under me, and I was forced to leap into the sea for the preservation of life, and this escape, which I claim to have been legitimate, is charged against me as a violation of the usages of war. If it were such violation it was known to the Government nearly a year before the capitulation and was condoned by the capitulation itself. If the Government designed to proceed against me on this charge it should have refused to have regarded me as a prisoner of war, and should have withheld from me the benefit of General Sherman's convention. Having permitted me to participate in that convention, with full knowledge of the facts, it is estopped from "molesting" me. Reposing entire faith and confidence in the Government I have been peaceably residing at my home for the space of seven months since the capitulation, and now I find myself arrested by military authority, in violation of its solemn compact.

I have the honor to be, very respectfully, your obedient servant,

RAPHAEL SEMMES,

Late Rear-Admiral, C. S. Navy.

[Inclosure.]

MOBILE, ALA., *December 15, 1865.*

SIR: On the 26th day of April, 1865, I was at Greensborough, N. C., in command of a naval brigade forming a part of the army of General

Joseph E. Johnston, and participated in the capitulation between General Johnston and Maj. Gen. W. T. Sherman, commanding U. S. Army of North Carolina. The condition of said capitulation on the part of General Johnston was that the army of his command should cease all acts of war from the date of the capitulation, 26th April aforesaid. In consideration of which condition thus entered into by General Johnston, General Sherman stipulated that the officers and men composing the army of General Johnston should return to their homes, and there remain unmolested by the U. S. authorities so long as they observed the obligation they had entered into and obeyed the laws in force where they resided. I have this day been arrested by the order of the Secretary of the Navy, had a guard placed over my house, and have been informed that I am to proceed to Washington in custody, there to answer to a charge preferred against me predicated upon facts which took place anterior to the capitulation between General Johnston and General Sherman. This being in violation of the capitulation on the part of General Sherman, I respectfully make this my protest against said arrest.

R. SEMMES.

GENERAL COURT-MARTIAL ORDERS, No. 654.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, December 19, 1865.*

The following-named citizens have been ordered to be released from confinement at the penitentiary at Jefferson City, Mo., and furnished with transportation to their respective homes:

* * * * * * *

6. Fountain Brown.

CHARGE I: Kidnaping.

CHARGE II: Selling persons of African descent, made free by the proclamation of the President of the United States.

FINDING: Guilty.

SENTENCE: To be confined in a military prison of the United States for the period of five years.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

GENERAL COURT-MARTIAL ORDERS, No. 660.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, December 20, 1865.*

The following-named citizens have been ordered to be released from confinement at Fort Warren, Boston Harbor, and furnished with transportation to their respective homes:

1. Samuel Boyce [Boyer] Davis, alias Willoughby Cummings.

CHARGE: Being a spy.

FINDING: Guilty.

SENTENCE: To be confined during the war.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

BUREAU OF MILITARY JUSTICE, *December 21, 1865.*

Hon. E. M. STANTON, *Secretary of War:*

In the case of Burton N. Harrison, rebel, referred to me for report by your order of the 20th instant, I have the honor to submit as follows:

This person is well known to the history of the rebellion as having occupied the position of private secretary to Jefferson Davis, with the military rank of colonel. In this close and confidential capacity he continued, even after the collapse of the military power of the insurgents and up to the very last moment of the life of the so-called Southern Confederacy, having been captured with his fugitive chief at Irwinville, Ga., on the 10th of May last. It is thus perceived that his fortunes were inseparably associated with those of his principal in treason, and that his case could not indeed be justly considered apart from that of the other. But it is not alone from the fact of this intimate and continued association with Davis that his relations to the latter as a criminal and traitor and his joint responsibility with him in his crimes are to be ascertained. Of these, permanent written evidence is not wanting, and this evidence is presented in the record of the late conspiracy trial by the letter of Lieut. W. Alston, a rebel officer, to Davis, and by the indorsement of Harrison thereon. This letter was one of a large quantity of official papers and archives of the rebel Confederacy, surrendered by Joseph E. Johnston to Major-General Schofield, at Charlotte, N. C., and thence directly transported to the War Department. The letter is without date but was contained in a package marked: "Adjutant and Inspector General's Office. Letters received July to December, 1864." It is addressed to "His Excellency the President of the Confederate States of America," from Montgomery White Sulphur Springs, Va., and proceeds as follows:

I have been thinking some time that I would make this communication to you, but have been deterred from doing so on account of ill-health. I now offer you my services, and if you will favor me in my designs I will proceed as soon as my health will permit to rid my country of some of her deadliest enemies by striking at the very heart's blood of those who seek to enchain her in slavery.

Here the writer, as if anticipating the possibility of some unfavorable comment upon this atrocious proposal, adds:

I consider nothing dishonorable having such a tendency.

He then goes on thus:

All I ask of you is to favor me by granting me the necessary papers, &c., to travel on while within the jurisdiction of the Confederate Government. I am perfectly familiar with the North and feel confident that I can execute anything I undertake.

His next assertion shows that he has but recently effected a secret transit through our territory in violation of the laws of war, for he says:

I am just returned now from within their lines.

He then discloses his military antecedents in the following terms:

I am a lieutenant in General Duke's command and I was on the raid last June in Kentucky under General John H. Morgan.

In the course of the letter he exhibits the fact that he is no obscure person, but the son of a well-known prominent rebel, and as such likely to find favor in his application. He says:

Both the Secretary of War and his assistant, Judge Campbell, are personally acquainted with my father, William J. Alston, of the Fifth Congressional District of Alabama, having served in the time of the old Congress, in the years 1849, 1850, and 1851.

And even more significantly, as showing that he had recently been brought in contact with a notorious rebel agent in Canada, found by the late military commission to have been implicated in the assassination of President Lincoln and other chief officers of the Government, he observes in speaking of his escape as a prisoner of war:

I shaped my course North and went through to the Canadas, from whence, by the assistance of Col. J. P. Holcombe, I succeeded in making my way around and through the blockade.

The letter concludes as follows:

If I do anything for you I shall expect your full confidence in return. If you do this I can render you and my country very important service. Let me hear from you soon. * * * I would like to have a personal interview with you in order to perfect the arrangements before starting.

Upon this communication there was found to be the following indorsement:

A, 1390. Lieut. W. Alston, Montgomery Sulphur Springs, Va. [No date.] Is lieutenant in General Duke's command. Accompanied raid into Kentucky and was captured, but escaped into Canada, from whence he found his way back. Been in bad health. Now offers his services to rid the country of some of its deadliest enemies. Asks for papers to permit him to travel within the jurisdiction of this Government. Would like to have an interview and explain.

Respectfully referred, by direction of the President, to the Honorable Secretary of War.

BURTON N. HARRISON,
Private Secretary.

Here, then, is exhibited the fact that Harrison was fully informed of the contents of this letter, which can be construed only as a deliberate offer to proceed to the assassination of the heads of this Government, and that, being so informed, he did not hesitate to do his part in promoting the infamous designs of the writer by referring it at once to the executive war officer of the rebel Government for action. If he had not been himself an assassin at heart he would have shrunk from furthering such a villainous undertaking, and would have exposed and denounced it, as well as its author. Instead of this he becomes, without a scruple, the instrument by which this fiendish project is made to receive the grave consideration accorded to an important State paper, and as a man of intelligence and education, and in view of the position which he occupied, he must be held personally responsible for the sanction thus awarded to its proposals. When, indeed, it is considered that the offer of Alston, suggested to him, as it may well have been, during his association with the representatives of the rebellion in Canada, was but a part of that deliberate scheme of assassination which was for so considerable a period maturing in the rebel councils, and which but a few months after the date of the letter referred to was actually executed by the murder of President Lincoln and the attempted murder of the Vice-President and Cabinet, the guilt attaching to the act of one who in any manner advanced such schemes is perceived to be of no slight character. It remains but to notice that the application of Harrison for a pardon or parole from his prison has received the following indorsement:

Mr. PRESIDENT:

This is the case I talked with you about a few days ago. The petitioner has been merely an amanuensis to Davis; has never been in the war against the Government. I am interested in him because as soon as released he is to marry a blood relation of my wife. The fine little girl has had bad luck, for I am told that she came here before the fall of Richmond for the wedding garments and was sent back without them. She begs me to appeal to you to make Merry Christmas of that at hand.

F. P. BLAIR.

In view of the facts surrounding the case of Harrison it is feared that the Government would gravely compromise itself by complying with this recommendation, which indeed would be ludicrous were it not for the strange insensibility which it manifests to the revolting guilt with which this man's name is connected. No more reason is perceived for its making merry the Christmas of the confidential agent and satellite of Davis than that of Davis himself. Associated as the two have been in their crimes, their flight, and their capture, it is but just that they should not be separated in their confinement. No exercise of Executive clemency, therefore, can be advised in this case, and as for the application to be paroled, which invariably accompanies such communications, it can no more be recommended that this should be granted than that a full pardon should be acceded. To ask that faith be reposed in a party resting under imputations not only of the deepest dishonor and the most intense disloyalty, but also of the gravest crime, is, it is submitted, as unconscionable as it would be unfortunate for the Government to favorably consider such a request.

J. HOLT,
Judge-Advocate-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, December 23, 1865—11.35 a. m.

Maj. Gen. IRVIN MCDOWELL, *San Francisco, Cal.:*

The President of the United States has remitted the unexecuted portion of the sentence of W. L. Black, one of the Salvador pirates, and directs his release from confinement. Report receipt and execution.

E. D. TOWNSEND,
Assistant Adjutant General.

HEADQUARTERS DISTRICT OF FORT MONROE,
December 25, 1865.

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of the prisoners Davis and Clay to be as well as usual. Davis, in consequence of the recent resolutions of Congress in his case, has shown some symptoms of nervousness. Previous to this he seemed to be perfectly indifferent. As the newspaper reports were so favorable he assumed more the airs of a prince than a prisoner.

I noticed in his cell the reports of the evidence in the case of Wirz, which he had carefully preserved.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

HEADQUARTERS ARMIES OF THE UNITED STATES,
Washington, D. C., December 28, 1865.

His Excellency A. JOHNSON, *President of the United States:*

SIR: Application having been made to me for an extension of the limits to which Mrs. Jefferson Davis is now confined so as to permit her to go where she pleases in the United States or Canada without

forfeiting her present privilege of corresponding with her husband, I would respectfully recommend the following: That Mrs. Davis and her family be put precisely on the same footing as the families of other state prisoners, only excluding her from visiting this capital or her husband, except with special permission.

I have the honor to be, very respectfully, your obedient servant,

U. S. GRANT,
Lieutenant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., December 29, 1865.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoner Davis as well. Clay is quite well and very cheerful, as his wife has been permitted to visit him. The inclosed report of Major Muhlenberg, with the red tape, will explain itself. I directed it to be removed from his cell, when he took occasion to make use of the profane and vulgar language. His becoming so much enraged at its being removed leads me to believe that he desired it for improper uses, as it is long enough to reach from the ramparts to the moat, and strong enough to draw up a longer cord.* While he is under my charge I shall exercise the same vigilance, notwithstanding his refined compliments.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of U. S. Volunteers, Commanding.

[Inclosure.]

FORT MONROE, VA., *December 29, 1865.*

Capt. JOHN S. MCEWAN,
Aide-de-Camp and Actg. Asst. Adjt. Gen., Fort Monroe, Va.:

I have the honor, in reply to your communication of the 28th instant, to make the following report of the language used by Mr. Davis, as far as I now remember it:

When I asked Mr. Davis if he had any use for the tape, which I was directed by General Miles to remove, he replied: "The ass! Tell the damned ass that it was used to keep up the mosquito net on my bed. I had it in the casemate and he knew it. The miserable ass!"

I am, very respectfully, your obedient servant,

CHAS. P. MUHLENBERG,
Brevet Major, U. S. Army.

CONFIDENTIAL.] WAR DEPARTMENT, ADJT. GEN.'S OFFICE,
December 30, 1865.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, Fort Monroe, Va.:

SIR: Your letter of the 29th instant, inclosing a quantity of red tape and report of the language used by Jefferson Davis on the occasion of its being taken from his room, has been submitted to the Secretary of War, who desires me to thank you for your action in the matter and to say that you cannot at this time be too vigilant, especially in regard to vessels arriving at night off Fort Monroe.

*The "red tape" is in the custody of the War Department. It is thirty-six feet long, and is made up of small pieces knotted together.

The Secretary desires that care shall be taken in reference to any of the officers at the post who may have undue feeling in favor of the prisoners, and who might thoughtlessly accord them privileges or convey information to or from them. Allusion is made in a certain letter to the wife of a Third Pennsylvania artillerist, who promised Mr. Clay not long since to write to his wife.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., January 2, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners Davis and Clay to be as well as usual, and to acknowledge receipt of your letter of the 30th ultimo. In reference to that portion of it which refers to the wife of a Third Pennsylvania artillerist writing to Mrs. Clay, I would say that when Captain Titlow of that regiment was leaving the post, Mr. Clay asked him to have his—Titlow's—wife write to Mrs. Clay and inform her of the fact of his being well. Mrs. T. did not see Clay, nor has he had conversation with her or any lady of the garrison. I was not aware of the circumstance until I saw Mrs. Clay's letter.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

P. S.—The inclosed letter Davis desires forwarded.

HDQRS. MILITARY DIVISION OF THE MISSISSIPPI,
Saint Louis, January 2, 1866.

General J. E. JOHNSTON, *Richmond, Va.:*

DEAR GENERAL: Your note of December 27 is received. I had before received the protest of Captain Semmes, made at Mobile, which I promptly sent to General Grant, and I will give the same direction to your letter. The final terms at Greensborough being the same as those of Spotsylvania [Appomattox] the construction must be the same, and I feel assured that the Government of the United States will keep its faith, whatever that may legally be construed. The arrest of Semmes seems to have been made by the Navy Department, so that of necessity President Johnson must pass on the case, he being the common superior to the Army and Navy.*

I am, with great respect, your obedient servant,

W. T. SHERMAN,
Major-General.

[JANUARY 3, 1866.—For Stanton to Colfax, transmitting the record, including the testimony, finding, sentence, and action of the Executive thereon, in the court-martial in the trial of Benjamin G. Harris. see Executive Document, No. 14, House of Representatives, Thirty-ninth Congress, first session.]

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* Semmes was released April 7, 1866.

WASHINGTON, *January 5, 1866.*

The SENATE OF THE UNITED STATES:

I have received the following preamble and resolution adopted by the Senate on the 21st ultimo:

Whereas, the Constitution declares that "in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury of the State or district wherein the crime shall have been committed;" and whereas, several months have elapsed since Jefferson Davis, late President of the so-called Confederate States, was captured and confined for acts notoriously done by him as such, which acts, if duly proved, render him guilty of treason against the United States and liable to the penalties thereof; and whereas, hostilities between the Government of the United States and the insurgents have ceased, and not one of the latter, so far as is known to the Senate, is now held in confinement for the part he may have acted in the rebellion, except said Jefferson Davis: Therefore,

Resolved, That the President be respectfully requested, if compatible with the public safety, to inform the Senate upon what charges or for what reasons said Jefferson Davis is still held in confinement, and why he has not been put upon his trial.

In reply to the resolution I transmit the accompanying reports from the Secretary of War and the Attorney-General, and at the same time invite the attention of the Senate to that portion of my message dated the 4th day of December last, which refers to Congress the questions connected with the holding of circuit courts of the United States within the districts where their authority has been interrupted.

ANDREW JOHNSON.

[Inclosure No. 1.]

WAR DEPARTMENT, *Washington City, January 4, 1866.*

The PRESIDENT:

SIR: To the annexed Senate resolution, passed December 21, 1865, referred to me by you for report, I have the honor to state:

1. That Jefferson Davis was captured by U. S. troops in the State of Georgia on or about the 10th day of May, 1865, and by order of this Department has been, and now is, confined in Fort Monroe, to abide such action as may be taken by the proper authorities of the United States Government.

2. That he has not been arraigned upon any indictment or formal charge of crime, but has been indicted for the crime of high treason by the grand jury of the District of Columbia, which indictment is now pending in the supreme court of said District. He is also charged with the crime of inciting the assassination of Abraham Lincoln, and with the murder of Union prisoners of war by starvation and other barbarous and cruel treatment toward them.

3. The President deeming it expedient that Jefferson Davis should first be put upon his trial before a competent court and jury for the crime of treason, he was advised by the law officer of the Government that the most proper place for such trial was in the State of Virginia. That State is within the judicial circuit assigned to the Chief Justice of the Supreme Court, who has held no court there since the apprehension of Davis, and who declines for an indefinite period to hold any court there.

The matters above stated are, so far as I am informed, the reasons for holding Jefferson Davis in confinement and why he has not been put upon his trial.

4. Besides Jefferson Davis the following persons who acted as officers of the rebel Government are imprisoned, to wit, Clement C. Clay, at Fort Monroe, charged, among other things, with treason, with complicity in the murder of Mr. Lincoln, and with organizing bands of

pirates, robbers, and murderers in Canada, to burn the cities and ravage the commerce and coasts of loyal States on the British frontier; D. L. Yulee, at Fort Pulaski, charged with treason while holding a seat in the U. S. Senate, and with plotting to capture the forts and arsenals of the United States, and with inciting war and rebellion against the Government; S. R. Mallory, at Fort Lafayette, charged with treason, and with organizing and setting on foot piratical expeditions against the United States commerce and marine on the high seas.

Other officers of the so-called Confederate Government, arrested and imprisoned, have been released on parole to abide the action of the Government in reference to their prosecution and trial for alleged offenses, on their applications for amnesty and pardon. Among these are G. A. Trenholm, Secretary of the Treasury; John A. Campbell, Assistant Secretary of War; James A. Seddon, Secretary of War; John H. Reagan, Postmaster-General; R. M. T. Hunter, senator; Alexander H. Stephens, Vice-President, and sundry other persons of less note.

EDWIN M. STANTON,
Secretary of War.

[Inclosure No. 2.]

ATTORNEY-GENERAL'S OFFICE, *January 4, 1866.*

The PRESIDENT:

SIR: I have the honor to acknowledge the receipt from you of a copy of the resolution of the Senate of the United States of date the 21st of December, 1865. In that resolution the Senate respectfully requests to be informed upon what charges and for what reasons Jefferson Davis is still held in confinement, and why he has not been put upon his trial.

When the war was at its crisis Jefferson Davis, the commander-in-chief of the army of the insurgents, was taken prisoner, with other prominent rebels, by the military forces of the United States. It was the duty of the military so to take them. They have been heretofore and are yet held as prisoners of war. Though active hostilities have ceased a state of war still exists over the territory in rebellion. Until peace shall come in fact and in law they can rightfully be held as prisoners of war.

I have ever thought that trials for high treason cannot be had before a military tribunal. The civil courts have alone jurisdiction of that crime. The question then arises: Where and when must the trials thereof be held?

In that clause of the Constitution mentioned in the resolution of the Senate it is plainly written that they must be held in the State and district "wherein the crime shall have been committed." I know that many persons (of learning and ability) entertain the opinion that the commander-in-chief of the rebel armies should be regarded as constructively present with all the insurgents who prosecuted hostilities and made raids upon the northern and southern borders of the loyal States.

This doctrine of constructive presence, carried out to its logical consequences, would make all who had been connected with the rebel armies liable to trial in any State and district into which any portion of those armies had made the slightest incursion. Not being persuaded of the correctness of that opinion, but regarding the doctrine mentioned as of doubtful constitutionality, I have thought it not proper to advise you to cause criminal proceedings to be instituted against Jef-

ferson Davis, or any other insurgent, in States or districts in which they were not actually present during the prosecution of hostilities.

Some prominent rebels were personally present at the invasions of Maryland and Pennsylvania; but all or nearly all of them received military paroles upon the surrender of the rebel armies. Whilst I think that those paroles are not ultimate protection for prosecutions for high treason, I have thought that it would be a violation of the paroles to prosecute those persons for crimes before the political power of the Government has proclaimed that the rebellion has been suppressed.

It follows from what I have said that I am of the opinion that Jefferson Davis and others of the insurgents ought to be tried in some one of the States or districts in which they in person respectively committed the crimes with which they may be charged. Though active hostilities and flagrant war have not for some time existed between the United States and the insurgents, peaceful relations between the Government and the people in the States and districts in rebellion have not yet been fully restored. None of the justices of the Supreme Court have held circuit courts in those States and districts since actual hostilities ceased.

When the courts are open and the laws can be peacefully administered and enforced in those States whose people rebelled against the Government—when thus peace shall have come, in fact and in law, the persons now held in military custody as prisoners of war, and who may not have been tried and convicted for offenses against the laws of war, should be transferred into the custody of the civil authorities of the proper districts to be tried for such high crimes and misdemeanors as may be alleged against them.

I think that it is the plain duty of the President to cause criminal prosecutions to be instituted before the proper tribunals and at the proper times against some of those who were mainly instrumental in inaugurating and most conspicuous in conducting the late hostilities.

I should regard it as a direful calamity if many whom the sword has spared the law should spare also; but I would deem it a more direful calamity still if the Executive, in performing his constitutional duty of bringing those persons before the bar of justice to answer for their crimes, should violate the plain meaning of the Constitution, or infringe in the least particular the living spirit of that instrument.

I have the honor to be, most respectfully,

JAMES SPEED,
Attorney-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 10, 1866.

Maj. Gen. P. H. SHERIDAN,
Comdg. Military Division of the Gulf, New Orleans, La.:

GENERAL: I have respectfully to request you to furnish this office with information as to the nature of the charges and specifications preferred against John B. Clark and William M. Gwin, citizens, whose names are embraced in the list of prisoners forwarded by you under date December 6, 1865, and who are reported therein as having been committed by you.

I am, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
January 11, 1866.

General E. D. TOWNSEND,
Brevet Major-General and Assistant Adjutant-General:

GENERAL: I have the honor to report the prisoners Davis and Clay as being well, and forward communications of Bvt. Col. T. G. Baylor, in reference to employés in his department who have been in the rebel army.* As his orders are received direct from Washington I would respectfully recommend they be discharged, as I do not think it proper such men should have access to the fort.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
January 12, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report prisoners Davis and Clay as quite comfortable. They appear as well as at any time during their confinement and say their general health is good. I inclose report of Surg. G. E. Cooper, U. S. Army.

I remain, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *January 12, 1866.*

ADJUTANT-GENERAL, *Military District of Fort Monroe, Va.:*

SIR: In compliance with instructions bearing date of to-day I have visited the state prisoners Jefferson Davis and C. C. Clay, now in confinement at this post. I find their physical condition to be as follows: Jefferson Davis is much troubled with a dyspeptic condition of the stomach, a want of appetite, considerable nervous irritation, and insomnolency. He is, however, more affected by mental than bodily ailments.

C. C. Clay has asthma, not, however, of a severe type, and a slight attack of erysipelatous inflammation of the right ear. He is in every other respect well.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
January 13, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report no change in the condition of the prisoners Davis and Clay since my report of yesterday. I inclose letter from Clay to his wife, which he desires may be forwarded. The article in the New York Herald of the 12th instant in reference to the

* Baylor's communications omitted. One inclosure contained the names of ten employés who had served in the Confederate Army.

prisoners is without foundation. Correspondents are not allowed inside the fort. They gather rumors from enlisted men and citizens outside.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

WASHINGTON, D. C., *January 13, 1866.*

Major-General MILES, *Commanding, Fort Monroe:*

Your letter reporting employment of rebel soldiers in Fort Monroe Arsenal received. The Secretary of War orders their instant discharge, and that you attend personally to their discharge and immediate removal beyond limits of the public ground of Fort Monroe, and that on no account or pretense either they or any one else who has been in rebel service be permitted to be employed in or come inside of the limits of your post. Order Colonel Baylor to leave the arsenal in charge of the next officer and to proceed by first conveyance to this city and report in person to the Adjutant-General. Report receipt and execution of this order.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

FORT MONROE, *January 14, 1866.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

Your telegram of last night received and acted on. Report will be forwarded by to-morrow's mail.

Very respectfully,

NELSON A. MILES,
Major-General of Volunteers.

HEADQUARTERS DISTRICT OF FORT MONROE,
January 15, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoner Davis as well. Clay is comfortable, although suffering some from asthma. No mail was sent yesterday because of there being no communication between Baltimore and this place on Sundays. I have the honor also to report that all the employés in the arsenal at this point have been discharged and removed beyond the limits of the public ground.

I am, general, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
Washington, D. C., January 18, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In compliance with the resolution of the House of Representatives of the 10th instant, referred by you to me for report, I have the honor to submit as follows:

In this resolution the Executive is requested to communicate to the House, if not incompatible with the public interests, such reports,

among others, as have been made by this Bureau "as to the grounds, facts, or accusations upon which Jefferson Davis, Clement C. Clay, jr., Stephen R. Mallory, and David L. Yulee, or either of them, are held in confinement." In regard to the case of Davis, I have first to report that it is understood he is held imprisoned by the Government upon a charge of treason, committed in many of the States of the Union through the operations of his armies, but that the disposition of this charge has been in no manner committed to this Bureau. In the investigation, however, of the charge of his complicity in the assassination of President Lincoln it has been for some time engaged.

On May 4 [2*] last a proclamation was issued by the President in which it was set forth that it appeared from evidence in the possession of the Government that the murder of President Lincoln had been "incited, concerted, and procured by and between" Davis and other persons named, and in which, to the end that justice might be done, a reward of $100,000 was offered for his arrest within the limits of the United States, so that he could be brought to trial, as well as rewards for the arrest, with the same view, of sundry other of his alleged co-conspirators. Within a short period after the issuing of this proclamation he was captured by a detachment of U. S. troops, and was thereupon committed to imprisonment at the military post at which he is still confined. It is understood, therefore, that it is upon the charge set forth in the President's proclamation of May last, as well as upon the charge before alluded to, that he is now held in military custody. Since his arrest, indeed, several of his alleged accomplices in the assassination have been brought to trial therefor before a military commission composed of officers of high rank and reputation in the service; and this commission, after a very patient and thorough examination of testimony, not only convicted the accused and sentenced them to death or to a confinement in the penitentiary, but arrived also at the deliberate judgment and so declared that Davis was directly implicated in their crime, and guilty, with them, of the murder of the President, and the attempted or proposed murders of other chief officers of the Government. Of the facts upon which is based the charge against Davis of complicity in the assassination of President Lincoln no report has heretofore been presented by me other than one of a verbal character, consisting of an exhibition to yourself and the President of certain depositions, with such explanatory remarks as were thought proper to be made. But believing it to be within the scope of the resolution of the House of Representatives, if not required by its very language, to present such points of the testimony in the possession of the Government as will indicate truly its character and force, I have now the honor to submit the following statements:

From published articles in the newspapers of the South, as well as from official communications recently discovered among the archives of the so-called Southern Confederacy, and from the testimony given upon the late trial of the conspirators, it is to be inferred that the project of an assassination of the heads of this Government was, during the continuance of the rebellion, entertained and frequently proposed among the enemy, and especially among those who constituted the highest administrative circle at Richmond. An example of the newspaper articles alluded to is presented, in the course of the testimony specified, in the advertisement of December 1, 1864, in the Selma, Ala., Dispatch, of George W. Gayle, offering for a sum stated to "cause the lives of Abraham Lincoln, William H. Seward, and Andrew Johnson

* See Series I, Vol. XLIX, Part II, p. 566.

to be taken by the 1st of March" following, a publication which seems to have been made and circulated without rebuke from any quarter.* Of the official communications referred to, the first, which is in the form of a letter to Davis from a citizen of Georgia, is dated September 12, 1861, and from that period, indeed, the chiefs of the rebellion appear to have accustomed themselves to look upon the project with interest and approbation. The formal proposition of this character next in date, found among the rebel archives, is that of a non-commissioned officer of the rebel army, who also addresses Davis directly, under date of August 17, 1863. In this letter the writer proposes to "organize a number of select men, not less than 300 to 500, to go into the United States and assassinate the most prominent leaders of our enemies," and indicates by name President Lincoln and honorable Secretary Seward. He represents that he has "made it a point to elicit the opinion of many men upon the subject," and that "most have confidence in its benefits to us." He then goes on to present the arguments in favor of the adoption of the scheme, urging that upon its execution all prominent men in the loyal States will perceive that "their existence is in the utmost peril" if they persist in the attempt to suppress the rebellion, and that such a panic and confusion will at once be produced at the North as to hasten peace and the independence of the South. The writer further details his personal record prior to and during the rebellion, saying, "I was opposed to secession, but am now committed to the death against subjugation or reunion." This paper, as is shown by the official indorsement thereon, was treated by Davis as one proper for consideration, and was referred, by his order, and apparently without scruple or hesitation, to his Secretary of War.

At this point the later communication of a similar character to that noticed of Lieut. W. Alston to Davis may well be adverted to. This letter, found among the records of the rebel Government which were surrendered by Joseph E. Johnston to Major General Schofield at Charlotte, N. C., in May last, has already been given to the country in the published testimony adduced upon the trial before mentioned. It is addressed to His Excellency the President of the Confederate States of America, and, though without date, was found in a package of letters marked as received from July to December, 1864. The writer, who represents himself as a lieutenant in Duke's command, and as having in the previous June been engaged in a raid under Morgan, proposes to Davis to "rid his country of some of her deadliest enemies by striking at the very heart's blood of those who seek to enchain her in slavery," adding, "I consider nothing dishonorable having such a tendency." He further dilates upon his scheme, describes his recent escape from our lines as a prisoner of war, his flight to Canada, and his being there assisted by J. P. Holcombe (one of the well-known rebel agents in that country) to make his way back to the South through the blockade, and finally commends himself and his proposition to the favor of Davis by representing himself as the son of a member of Congress from Alabama in the years 1849 to 1851. The indorsement upon this communication also shows that it was carefully briefed and formally referred, by the order of Davis, to his chief executive war officer, and that it was marked when received by the Assistant Secretary of War, Campbell, "for attention."

Here, too, may be noticed the letter of W. S. Oldham (a member from Texas of the so-called Confederate Senate) to Davis found among the

* See Christensen to Smith, Series I, Vol, XLIX, Part II, p. 866.

official papers in the Capitol at Richmond shortly after its capture, and published with the testimony upon the trial referred to. In this letter the writer, after alluding to a recent conference with Davis, at which the subject of burning our towns, cities, and shipping had been freely considered and discussed, goes on to enforce the practicability of the scheme, in which he with Professor McCulloh, General Harris, and others were interested, of the wholesale destruction not only of the property of the United States, but of private property as well as of human life, both at sea and on land, by means of a combustible material carefully constructed for that purpose. The letter concludes by urging it upon Davis to have an interview with Harris, who, it is thought, will be able to convince the latter of the entire feasibility of the project. It cannot escape observation that so appalling seemed this proposal that, with all the demoralization which the rebellion had wrought, it was still feared that men could not be found sufficiently fiendish to undertake the execution of such a programme of crime; and hence the suggestion made, and pressed upon Davis by Oldham, that so ingeniously had McCulloh arranged the combustibles that they could be used not only, to quote the terms of the letter, "without exposing the party using them to the least danger of detection whatever," but that "the work might be done by agents, and in most cases by persons ignorant of the facts and therefore innocent agents." It is difficult to conceive of a more diabolical proposition than that presented by this letter, involving as it did all the elements of assassination, and contemplating upon a scale probably without a parallel in the history of the race the murderous sacrifice of the lives of unarmed non-combatants, whether found in their homes upon land or beyond the reach of succor in ships at sea. But upon this proposition is indorsed, in the handwriting of Davis himself and over his own initials, a direction to his Secretary of State to "see Harris and learn what plan he has for overcoming the difficulty heretofore experienced;" thus evidently referring to the attempt which had recently been made by the rebel agents, Kennedy and others, to burn at night the city of New York, but which attempt had failed from the defective character of the materials employed. The unhesitating and confident manner in which proposals of this class are perceived to have been addressed to the head of the rebellion, in connection with the absence of all discussions as to their criminality, and the earnestness with which their practicability was urged as a ground for their acceptance, while it evinces the fact that the idea of assassination as a mode of warfare was widespread in the South, indicates also the general conviction that such schemes as those thus advanced were favored by Davis. And the action of the latter, in testing the feasibility of these schemes by giving them the direction described, can, it is believed, leave no doubt as to the spirit which actuated these references. When King Pyrrhus, in the prosecution of an unprovoked war, was laying waste the territory of Rome, his physician secretly offered to Fabricius, the Roman Consul, then in command of the armies of the Republic, to take the life of the King by poison, provided a proper compensation should be made to him for the infamous service. Fabricius, however, instead of referring the matter for consideration or for inquiry whether all difficulties in the way had been overcome, spurned the atrocious proposal, and in a brief note, as simple as it was morally grand in its terms, addressed by himself and colleague to Pyrrhus, he informed him of the offer, and placed the letter containing it in his hands, and added: "You will see by this letter, which was sent to us, that you are at war with men of virtue and honor, and trust knaves and villains." The result was that the traitor and would-be

assassin was seized and punished. So when Earl St. Vincent, who was Admiral Jervis, had, while in the naval service of England, a proposal made to him for the assassination of Napoleon Bonaparte, then at war with his country, he made this memorable reply: "Lord St. Vincent has not words to express the detestation in which he holds an assassin." The incident will be found recorded at page 204 of second volume of Tucker's Memoirs of that nobleman, who honored alike himself and human nature by the utterance cited.

The contrast between the acts and impulses of the historical personages thus instanced, in evincing their detestation of the revolting propositions described, and those of Davis in coolly entertaining and considering as ordinary matters of business, even more horrible schemes, is too striking to need comment. But the animus of his proceedings on the occasions referred to finds its fullest illustration in the important testimony which I am about to detail of the direct and immediate part borne by him as a chief conspirator in assassination. It was in the summer of 1863 that the designs entertained by leading rebels against the person and the life of President Lincoln appear to have taken definite form. The scheme then resolved upon was, not to murder the President at Washington, but by a *coup de main* to seize him and transport him within the rebel lines, with the understanding, however, that if an attempt were made to rescue him his life should be at once taken. The full knowledge and approval of this scheme, known in rebel circles as the kidnaping plot, on the part of Davis, and the immediate direction of it which he assumed, are set forth in the deposition of a witness taken by me at this Bureau on the 23d of November last.* This witness, whose statements may be fully relied upon, was, as he represents at the time specified, in the service of the rebel General Winder, at Richmond, and had been informed by the latter of the plot in question, the execution of which had just then been determined upon. Presently afterward he encountered at a drinking saloon in Richmond the son of a leading rebel, who, being in a drunken and excited condition, was declaring in the presence of a crowd of persons the details of the pending scheme of crime, and asserting, to quote the language of the deposition—

That there was a plot laid to kidnap or kill the Yankee President, and that they would have him at Richmond inside of a month to split the wood and to cook the Yankee officers' grub in Libby Prison.

The witness at once arrested the speaker, placed him in confinement, and reported the circumstance to Winder. When Davis heard of this arrest of the son, as it is expressed, of his particular friend, he sent to Winder for an explanation, and the latter thereupon required the witness to accompany him to the office of Davis. What occurred at this interview is detailed in the deposition as follows:

General Winder said to Mr. Davis that I was the man who had made the arrest and would explain to him all about it. In reply to Mr. Davis' questions I then related to him what ——— (naming the party arrested)—had said and that I had felt it my duty to arrest him. Davis seemed much excited about it, and General Winder said that their plans and schemes would be let out by such damned drunken characters as ——— and that he ought to be hung. By this time several other gentlemen—naming three persons—had come in, having heard what was going on. General Winder continued talking and said that they must bring the "monkey," meaning President Lincoln, soul and body, to Richmond; but that if they could not bring him alive they must bring his scalp. Mr. Davis then spoke up, saying, "Gentlemen, you must capture him and bring him, if possible, to Richmond without hurting a hair of his head, but if an attempt is made to recapture him you must see that he never reaches Washington alive." Mr. ——— (naming one of the three persons) observed that they would require more means than they had to carry out their purposes, to which Mr. Davis answered by saying to General Winder that he must furnish all necessary

* See deposition of Wright, p. 815.

means to carry the plan into execution at once. All the gentlemen present were understood to be engaged in it. I then left Mr. Davis' office, the other persons remaining. Before I did so, however, Mr. Davis said I must arrest certain persons present in the drinking saloon, supposed to be blockade-runners, who had heard Mr. ———'s declarations. I made an attempt to find them, but failed to do so.

The witness then being further interrogated by me as to whether he knew why this scheme was not carried out at the time, replied:

I do not. I left General Winder's service soon afterward, and was not again in a position to be informed of what was going on in connection with the proposed capture.

From this and other testimony it is quite clear that this plan was abandoned only when on the point of being attempted to be carried into effect, and that it was abandoned solely for the reason that it was judged to be attended with too great hazard and uncertainty. And considering the crime which was afterward concerted and perpetrated, it is deemed very apparent that the main feature of this plan, which purported to contemplate only the kidnaping of the President, was a mere pretext employed to draw into the enterprise those who otherwise would have hesitated to engage in it. For it is manifest that Davis must have been aware that an undertaking of the character designed could not have failed to lead to an immediate pursuit and an attempt at rescue; and that thus the very contingency upon the happening of which the life of the President was directed to be taken must necessarily have occurred.

We now approach the part borne by this chief traitor in the actual crime with which closed alike his own career and that of the rebellion. As early as the summer of 1864 Jacob Thompson said to the Government witness, Montgomery, that he had his friends, Confederates, all over the Northern States who were ready and willing to go any lengths to serve the cause of the South; that he could at any time have the tyrant Lincoln and any others of his advisers that he chose put out of his way, and that they would not consider it a crime when done for the cause of the Confederacy. Upon this conversation being repeated to C. C. Clay he fully assented to the declarations of Thompson. The conspiracy, however, in Canada did not assume any definite form until the month of November, when something like a programme for the assassination seems to have been arranged, and a Captain Kennedy appears to have been looked to as the one who was to lead in its execution. This will be more clearly seen by reference to an extract from the deposition to be found cited in the accompanying report made by this Bureau in the case of C. C. Clay. Kennedy was subsequently transferred to the duty of burning the city of New York, which with his associates he soon thereafter attempted, and in the attempt himself soon reached the gallows. Booth seems to have succeeded him as a leader of the band who were actually to do the work of murder. He was in Canada in frequent and intimate association with the principal conspirators, and this position, it is fair to presume from the testimony, was accorded to him by all.

About this time, in consequence of the annoyances to which those who had been engaged in the Saint Albans raid were exposed, from prosecutions and otherwise, some feeling of dissatisfaction with the rebel Government had grown up among the conspirators, and an unwillingness was manifested to enter upon the enterprise of the assassination of the President unless they could have an express and specific authorization for their acts from Richmond, and a satisfactory assurance of complete protection from the rebel authorities. It is true, as detailed by Doctor Merritt, that in February, 1865, George N. Sanders had in his possession and read to his co-conspirators an informal

letter from Davis to the effect that he would approve of whatever measures they might take to accomplish the object desired; but this does not seem to have been regarded as sufficiently formal and explicit. Jacob Thompson, indeed, said to a Government witness about this time that he was in favor of the proposition, but had deferred giving his answer until he had consulted his Government at Richmond, and that he was only waiting their approval. In view of all the circumstances of peril which surrounded this crime, and of the fact that it was to be perpetrated solely in advancement of the cause of the rebellion, the solicitude and apprehensions of the conspirators thus entertained were natural enough. As a result of this state of feeling on their part, John H. Surratt was deputed by them to Richmond to obtain that direct authority which they all felt was necessary to their own safety. It is upon the arrival of Surratt at Richmond that the narrative of the important testimony, not heretofore given to the public, but now to be fully set forth, commences. Upon reaching his destination in the latter part of March last, he fell in with his two former friends, the witnesses whose depositions are about to be presented, to whom he frankly disclosed the business in which he was engaged. At the same time he urged them to unite with him in the prosecution of the plot, and indulging the hope that they would do so, invited them to be present with him at the private interviews which he presently had with Davis, and a high official of his Government to whom Surratt had borne a letter from one of his co-conspirators in Canada. The first of these interviews is thus described by one of the witnesses, whose deposition was taken by me at this Bureau on 4th November last:

After the introduction Davis and ——— (naming the official referred to) withdrew into another room and had a long private conference, as we supposed, together. Mr. ——— (the official named) then called us into the room where Mr. Davis was seated. On entering the room Davis said, "Surratt, there is no necessity for your coming here for any special authority, for the soldiers in the North and in Canada are expected to carry the war to the knife, and they require no more authority to kill Lincoln than they do to kill any Union soldier. Such killing," he said, "would be a legitimate act of warfare; for," said he, "if a couple of Yankees were to come into my house and kill me they would be lauded for it and rewarded as heroes." Surratt answered that the boys in the North were somewhat dissatisfied; that in certain things which they had done, although promised protection by the authorities, yet they felt they had not received it as fully as they were entitled to claim it, and they therefore insisted on having authority for their action directly from the Government itself. Mr. Davis said, "Although there is no necessity for it yet if you wish it the proper papers shall be prepared, and if you will call on ——— (a high official) to-morrow you will receive the papers from him."

The witness then describes the second interview in the following words:

We (meaning Surratt, himself, and the other witness, who now also accompanied them) accordingly called the next day on ——— (naming again the official above alluded to), but found that the papers were not yet ready. Mr. ——— (the official named) proposed that we should go to Mr. Davis' office, which we did. Mr. Davis welcomed us and alleged indisposition as a reason why the papers were not ready, but said if we would sit a few moments they would be brought to us. He retired from the room and in a short time returned with a packet addressed to Colonel Thompson (meaning Jacob Thompson) and handed it to Surratt, telling him to deliver it to Colonel Thompson, then in Canada, and saying that it conferred all the authority he had asked for. At the same time Mr. ——— (the official named) delivered a small package of papers to Surratt. As we were about to leave Mr Davis shook our hands kindly and said he hoped we would all act bravely and succeed, but added that there had been so many attempts at this thing which had failed that he had not much confidence in them. Mr. ——— (the other witness) then remarked, "We must be brave and succeed or we will all dance on nothing." ——— (the official named) answered, "No; if you should fail and are captured, and threatened with punishment, we will notify the Yankee Government that for every one they hang a dozen shall swing the next day." "Besides," he continued, "it is legitimate

warfare, for if the Yankees should steal into one of our camps and murder our soldiers before they could get possession of their arms it would be considered right." Then Mr. Davis repeated his remark of the day previous in regard to Yankees getting into his house and killing him, and said to us that we should be fully protected by the Government. We then left, and the next day Surratt started for the North.

The deposition of the other witness, taken by me at the same time as that of his companion, covers the second interview with Davis, and, though narrating the conversation and proceedings in substantially the same terms as those just recited, may yet be properly submitted in this place, as follows:

From Mr. ———'s (naming the official before alluded to) office we all, that is ——— (the said official), Surratt, ——— (naming the other witness), and myself went to the office of Mr. Davis, the Confederate President, where we were introduced to Mr. Davis by ——— (the said official). A conversation then ensued between Davis, ——— (the said official), and Surratt, but it was conducted in so low a tone that I did not hear it distinctly. When we rose to leave Mr. Davis shook us by the hand and said that we must act bravely and succeed. I replied that we would have to act bravely and succeed, for if we were caught we might have to dance upon nothing. ——— (the said official) said, "No; for if any of us were caught and sentenced to be hung, that they would notify the Yankee Government that they would hang a dozen for one." Mr. Davis then spoke and said that we should be fully protected, and that the enterprise in which we were about to engage was justified by the laws of war. He added, "If two or more Yankees should steal into my house at night and kill me their Government would laud them and reward them as heroes." ——— (the said official) said to us that it was the same as falling on soldiers in their camp and killing them before they could get their arms. While we were conversing papers were delivered by Davis and ——— (the said official) to Surratt. Davis, in handing the packet to Surratt, told him to deliver it to Colonel Thompson, and said that it contained all the authority which had been asked for. I saw Surratt the next day when he was about leaving for the North, but I did not accompany him, but declined doing so.

To these recitals there is only to be added the statement of both witnesses that Surratt informed them that he had been assured by Jacob Thompson that a fund, to quote again from the testimony, "of $200,000 had been set apart for the purpose and would be distributed among the parties engaged in killing the President."

These witnesses, whose personal testimony remains at the command of the Government, are regarded as entirely reliable, and as they are without any motive whatever to misrepresent, it is believed that their statements may be accepted as strictly true. Moreover, they are so strikingly corroborated by the previous testimony exhibited as to make the events to which they testify appear but a logical sequence of those which had preceded them. The interviews which these witnesses recount are stated to have taken place in the latter part of March, and it is added by them that Surratt proceeded to the North immediately afterward. At this point the narrative is taken up by a witness upon the conspiracy trial, who states that Surratt arrived in Washington on April 3; that he had in his possession a considerable quantity of gold; that he remained in Washington but a few hours, in the course of which he stated to the witness that he had just come from Richmond, where he had seen Davis and Benjamin, and that he proceeded on the same evening, April 3, to Montreal, where he arrived on April 6. Another witness upon the same trial testifies that on April 6 or 7 he was present in Jacob Thompson's room at his hotel in Montreal; that Surratt was also present, having just arrived from Richmond with dispatches, among which were communications both from Davis and Benjamin; and that Thompson, laying his hand upon these dispatches, exclaimed, referring to the assent of the rebel authorities to the scheme of assassination, "This makes the thing all right." From the testimony of the witness last before cited we have next the fact that Surratt left Montreal on April 12, and from another witness the fact that on the 14th he was seen about 2 o'clock in

the afternoon walking in the streets of Washington with his spurs on, having doubtless brought dispatches from Thompson to Booth, and that he thereupon disappeared. On the night of that day President Lincoln was murdered, the exclamation of the assassin and the surrounding circumstances making it apparent to all that the crime was committed in the interest of the public enemy and under the inspiration of the chiefs of the rebellion. To the chain of testimony thus indicated may be added yet another link, which is found in the language of Davis when speaking to John C. Breckinridge of the assassination of the President the day after the telegram announcing it had been received. Breckinridge, it seems, professed to deplore it, not as a crime, but simply as a misfortune to the South at the time. A witness, neither whose intelligence nor integrity has been or can be impeached, testifies that to this view expressed by Breckinridge Davis replied as follows:

> Well, General, I don't know; if it were to be done at all it were better that it were well done; and if the same had been done to Andy Johnson—the beast—and to Secretary Stanton the job would then be complete.

These are not the words of sorrow or of surprise but rather of exultation over a tragedy which had been anticipated, mingled with regret that in important particulars the programme of crime, with the details of which the language implies an acquaintance, had failed. Impressed by the force of these proofs, which still exist and are within the reach of the Government, I have entertained the opinion, and frankly expressed it to yourself, that Davis should be put upon his trial before a military court, such as during the past summer tried and condemned his alleged confederates in guilt—such a tribunal alone, in my judgment, having jurisdiction of the offense, which was committed in aid of the rebellion and in violation of the laws and usages of war. My conviction is complete that the punishment of the wretched hirelings of Davis, some of whom have been sent to the gallows and others to the penitentiary, has made no sufficient atonement for this monstrous crime against humanity, which covered our land with mourning, but that, on the contrary, the blood of the President is still calling to us from the ground, not for vengeance, for that his nature was incapable, but for justice—that justice without which no nation can long live in honor or peace or happiness.

The accompanying copies of reports, marked Nos. 1 and 2, heretofore made by this Bureau to the Secretary of War, in the cases of Clement C. Clay and D. L. Yulee and S. R. Mallory, will, it is believed, sufficiently present the grounds both of the arrest of these parties and of their continued detention by the Government. It remains but to note the fact that in this report, as well as in that of the case of Clay, the names of certain witnesses and others have, for obvious reasons growing out of the present state of the investigation, been thought proper to be withheld.

Respectfully submitted.

J. HOLT,
Judge-Advocate-General.

[Inclosure No. 1.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
December 6, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: Pursuant to your order I have to present the following report upon the testimony on file in and communicated to this Bureau in regard to the alleged complicity of Clement C. Clay in various crimes against

the laws and usages of war, including the murder of President Lincoln and the attempted assassination of the honorable Secretary of State and other officers of the Government: The formal and deliberate judgment of the military commission, by which the accomplices of Booth were tried and convicted, that this party, with Davis and other rebel leaders, was implicated in the treasonable conspiracy of which the prisoners on trial were the mere instruments, and that the assassination was but the consummation of that conspiracy, has become matter of history. The testimony introduced upon this trial, by which the personal complicity of Clay was clearly made to appear, may be briefly presented in substance as follows: During the summer, fall, and winter of 1864 this rebel was a resident in Canada as one of the accredited agents of the so called Confederate Government, and, in connection and most intimate association with Jacob Thompson, Cleary, Sanders, and others of its agents, was consequently engaged in maturing treasonable enterprises, in violation of the laws and usages of civilized war. It was in the summer of the year mentioned, the last year of the rebellion, that a reliable and unimpeached witness introduced upon the trial referred to had a conversation with Thompson at Montreal, in which the latter declared that he could at any time have the tyrant Lincoln and any other of his advisers that he chose put out of the way by his friends, Confederates in the States, who were ready and willing to go any lengths to serve the cause of the South; that he would have but to point out the man that he considered in his way and his friends would put him out of it, and not let him know anything about it, if necessary; and that they would not consider it a crime when done for the cause of the Confederacy. This language was shortly after repeated by the witness to Clay, who at once replied, "That is so; we are all devoted to our cause, and ready to go any lengths, to do anything under the sun to serve our cause." Later in the summer Clay was observed by the same witness in confidential conversation at his hotel in Montreal with a man identified on the trial by the witness as Payne, the conspirator, since condemned and executed as having been engaged in the plot of assassination, and having actually attempted the life of Secretary Seward; subsequently on meeting Payne the witness made some inquiry as to who he was, and was answered with hesitation and an evident desire to avoid further inquiry that he was a Canadian, this term being, to quote from the testimony, a common expression among the Confederates there, and applied to those who were in the habit of visiting the States. This answer of Payne was afterward repeated by the witness to Clay, who laughed and said, "That is so; he is a Canadian," adding these most significant words, "We trust him." By another equally reliable witness it is testified that he was present at a meeting of prominent rebels at Montreal in February last, at which a letter from Jefferson Davis was read by Sanders, and exhibited to and read by those present, in which the writer expressed his approbation of whatever measure might be resorted to by these rebels and their associates in Canada to accomplish the object they had in view, meaning, as was well understood by them, the making away with President Lincoln. At this meeting the assassination of the President, Vice-President, members of the Cabinet, and others was freely considered, and the names of Booth, Surratt, and Atzerodt, the two latter by alias, were mentioned by Sanders in connection with the proposed plot. Subsequently in the same month, February, the witness had a conversation with Clay at Toronto, and spoke to the latter about the letter from Davis produced by Sanders at Montreal. Clay, to quote the language of the testimony, appeared to understand perfectly the nature and character of the letter, and on being asked

what he thought about it replied that in his opinion the end would justify the means. Another circumstance going to show Clay's immediate personal association with the assassins is the striking testimony of the witness first referred to, to the effect that he himself saw in the possession of Clay, at his private house at Saint Catherines, and became familiar with, a secret cipher used among the rebels in Canada, which he identified as precisely the same with the cipher found among the effects of Booth after his capture and death. The fullest proof, however, of the direct complicity of Clay in the scheme of assassination is presented by the deposition obtained since the trial of the conspirators of a witness esteemed by this Bureau, before which he was personally examined, as entirely faithful and reliable. This witness* states that during the past year he made the acquaintance in Montreal of Robert C. Kennedy, who was afterward hung for his attempt, in concert with others, to destroy the city of New York by fire. Kennedy having enlisted, or pretended to enlist, this witness and a companion into the rebel military service, approached them in November, 1864, with a proposition to assist him in the assassination of President Lincoln, his Cabinet, and General Grant. He represented, to quote the words of the witness, that as their friend McClellan was beat, they had to put the whole damned Cabinet and Abe Lincoln out of the way, and that we would be rich men if we could do it. Kennedy then conducted the two men to Clay, and the details of the interview which took place may best be presented in the precise language of the deposition, as follows:

He (Kennedy) fetched us into the Queen's Hotel, Toronto, where were McDonald, Cleary, and C. C. Clay. The four went into a separate room by themselves, where they staid probably three-quarters of an hour, leaving myself and my friend outside. When they came out Mr. C. C. Clay approached me and said (calling me by name): "How do you do?" He said he supposed we were going to assist in the Washington affair, addressing himself to me and my friend together. Captain Kennedy said to Clay: "He (alluding to me) is the man to lay Stanton out." Clay said: "Boys, it is a very risky job, and furthermore, if you undertake to do it you must take your lives in your own hands." He said to me (calling me by name): "Mr. Stanton is a very big man and if you cannot undertake to do the job you had better not try it." I told him I thought I could do anything in that way I was called upon to do. He said: "If you get back to Canada after the job is completed you will be a rich man. If you happen to fail in the attempt you will swing." Captain Kennedy had previously stated to us in the conversation that we should have $5,000 apiece if we got back from Washington, and that the Confederate Government would give us a good deal more. Clay also said to us: "I am going to leave in a few days and I suppose you want a few dollars till you are ready to start." He then gave us $10 apiece.

The witness also, in answer to the question whether it was the understanding that he and others were to come on to Washington and engage in the assassination, adds:

Yes, sir; Clay gave us $10 apiece to wait until we would be ready to start. We made up our minds to consent to do everything they asked, provided they gave us what they promised, although really it was not our purpose to proceed finally in the assassination.

A few weeks later than this Kennedy, having meanwhile gone to Washington and returned, instructed the witness that he was to have nothing to do with the project of assassination, inasmuch as it was in the hands of men more competent at Washington. The witness then gives the conclusion of his interviews with Kennedy, as follows:

"But," said he, "I have got another scheme for you." We asked him what it was. He said, "To fire the city of New York." I thought in my own mind that New York was a pretty big place to burn. We finally came to the conclusion that we would not go, and when we were going away he said we were a pair of traitors.

* John McGill.

It is here to be added that it is expected by this Bureau that the deposition of the companion of this witness, whose testimony is understood to fully corroborate that of the latter, will soon be obtained and filed in the case. In connection with the proof just presented should also be considered the evidence, which has heretofore been produced, of atrocious acts in violation of the laws of war engaged in by this party in the interest and as the agent of the rebellion; acts which, while illustrating his complicity in the culminating crime of the war, also furnish of themselves ample grounds for his trial by a military tribunal. This evidence, which relates principally to two classes of crimes, is, in substance, to the following effect:

1. As to his connection with guerrilla raids and schemes of rapine. The written orders of Seddon, the rebel Secretary of War, to Bennett H. Young, directing him to proceed to Canada and place himself under the direction of Thompson and Clay for special service, were put in proof upon the trial of the conspirators. It was also shown that Clay filled up and conferred upon Young a commission as lieutenant and personally superintended the preparations for the raid upon Saint Albans, Vt., which Young presently executed, and in the course of which robbery and arson and an indiscriminate plundering of the private property of unarmed citizens were freely indulged in. The official letter also in proof of Clay to J. P. Benjamin, so-called rebel Secretary of State, of November 1, 1864, shows that the brigandage of Young and his party was not only authorized, but fully approved by Clay, and his confidently urging it upon the rebel Government to assume the responsibility of this raid, and their assuming it, and making provision for the defense of Young and his associates after their apprehension, as well as Clay's own action as their counsel upon the trial, are now facts of history. In this document Clay has presented an enduring record of the infamous character of the enterprise of Young:

> He assured me (he writes) before going on this raid that his efforts would be to destroy towns and farm-houses, not to plunder and rob; but he said if after firing a town he saw he could take funds from a bank or any house which might inflict injury on the enemy and benefit his own Government he would do so. My instructions to him, oft repeated, were to destroy whatever was valuable, not to stop and rob; but if after firing a town he could seize and carry off money or treasures or bank notes he might do so upon condition that they were delivered to the proper authorities of the Confederate States.

Again, he proposed to return to the Confederate States via Halifax, but passing through the New England States and burning some towns and robbing them of whatever he could convert to the use of the Confederate Government. "This," adds Clay, "I approved as justifiable retaliation." It certainly requires no argument to show that this approval on the part of a rebel leader and accredited agent of the enemy's Government was a *carte-blanche* to Young to proceed at his will through our territory in the character of a guerrilla, assassin, and robber, as well as spy, and, assured of the sanction of his chief, to perpetrate any act, however diabolical, of treacherous villainy. But it was not merely the crimes executed or purposed by Young which were stimulated and approved by Clay. The whole business of organizing raids upon the frontier seems to have been mainly in his hands, and there is little doubt that the repeated contemplated incursions of rebel bandits upon the territory of States nearest to the Canadian frontier, which were only prevented by the constant vigilance of our military commanders and by the prompt trial and conviction by military commission of not a few of those concerned in these plots, were inspired

and set on foot by Clay. A witness upon the trial of the conspirators, already referred to, says:

I frequently heard the subject of raids upon our frontier and the burning of cities spoken of by Thompson, Cleary, Tucker, and Sanders. Mr. Clement C. Clay was one of the prime movers in the matter before the raids were started. They received his direct indorsement.

Again, in referring to the Saint Albans raid and the intended raids upon Buffalo and Rochester, the witness says:

I heard Mr. Clay say, in speaking about the funds for paying these raids, that he always had plenty of money to pay for anything that was worth paying for. I know that they had funds deposited in several different banks. They transacted considerable business with one bank, which is, I think, called the Niagara District Bank; it was almost opposite Mr. Clay's residence in Saint Catherines.

In this connection, also, may be noticed the testimony of R. A. Campbell, teller of the Ontario Bank of Montreal, that a check of the large amount of $50,000, drawn to Clay's order, was in August, 1864, received from the bank at Saint Catherines and placed in the Ontario Bank to the credit of Clay and Thompson. Of this class of crimes, which Clay is thus perceived to have inspired and directed, the burning of the city of New York was perhaps the most flagrant. For this gigantic scheme of arson, murder, and rapine there can be little doubt that Clay is morally as well as legally responsible. His frequent talk upon the subject of burning cities; his intimate association and confidential intercourse with Kennedy, and the declarations on the subject by the latter, made contemporaneously with his secret interviews with his chief, are circumstances which forbid any presumption other than that Clay was personally cognizant of the plot, and that it was undertaken with his full sanction, and probably under his superintendence. It may here be noted that the concluding words of the confession of Kennedy prior to his execution may well be cited as illustrating the utter shallowness and shamelessness of the plea that the crimes of these raiders and of those under whose orders they proceeded were acts of legitimate warfare. This convict, after stating that he was sent to New York from Canada as the emissary and agent of the representatives of the rebellion in that country, and detailing the features of the proposed scheme of conflagration and ruin, says:

We desired to destroy property, not the lives of women and children; although that would, of course, have followed in its train.

2. As to his connection with the introduction of pestilence. Prominent among the deeds of infamy and treason with which the name of Clay, as an agent of the rebellion in Canada, is connected by the proof, is the plot for the destruction of the lives of our soldiers and citizens by means of the introduction into the country of clothing infected with virulent contagious disease. The testimony in regard to Clay's personal complicity in this plot is brief, but most pointed. A witness upon the trial of the conspirators, other than those already referred to, in regard to the relations of Blackburn, by whom the clothing was prepared and packed, with the other leading rebels in Canada, says:

I have seen him, Blackburn, associating with Jacob Thompson, George N. Sanders; his son, Lewis Sanders; ex-Governor Westcott, of Florida; Lewis Castleman, William C. Cleary, Mr. Porterfield, Captain Magruder, and a number of rebels of less note. Doctor Blackburn was there known and represented himself as an agent of the so-called Confederate Government, just as Jacob Thompson was an agent.

But it is in the deposition of G. J. Hyams that the most direct proof of Clay's cognizance and approval of the operation of Blackburn is

presented. This witness, who had been dispatched by the latter to Washington to sell the clothing referred to, continues his narrative as follows:

On disposing of the trunks I immediately left Washington and went straight through until I got to Hamilton, Canada. In the waiting room there I met Mr. Holcombe and Mr. Clement C. Clay. They both rose, shook hands with me, and congratulated me on my safe return and upon my making a fortune. They told me I should be a gentleman for the future, instead of a workingman and a mechanic. They seemed perfectly to understand the business in which I had been engaged. Mr. Holcombe told me that Doctor Blackburn was at the Doneganna Hotel, in Montreal, and that I had better telegraph to him stating that I had returned.

It is conceived that no verbal admissions on his part, however distinct, could more clearly fix upon Clay a connection with the crime of Blackburn than his deportment on the occasion referred to. Such demonstrations as those described toward an obscure individual and hireling from a well-known accredited agent of the Southern Confederacy in a foreign country are susceptible of but a single construction, and one which must be deduced by every reasoning mind.

In concluding this review it remains to advert to but one other item of testimony, which illustrates the treacherous and clandestine nature of the machinations in which Clay was constantly engaged in Canada, viz, that he frequently resorted to an alias to conceal his true name and position, being known at different times by the names of Hope, Tracey, and Lacey. This circumstance of secrecy is indeed one which contributes to invest his proceedings under all the circumstances with a character altogether different from that which distinguishes the class of offensive acts held legitimate in war. In connection with the testimony in this case as thus presented may be noticed the assertions of Clay in his recent letter to the Secretary of War that at the date of the assassination he had been absent from Canada nearly six months, and had never known or heard of Booth or either of those charged as immediate accomplices and had not to his knowledge ever seen him or either of them. Either these declarations are utterly false or the body of testimony of all the witnesses who have been enumerated and of others not herein alluded to must be wholly discredited. But in view of the known unexceptionable character of the principal witnesses and the character for reliability and disinterestedness sustained under severe tests by others, as well as of the fact that the statements of all, although personally unknown to each other, are found to harmonize, the latter conclusion is, it is conceived, impossible to be adopted; and the former must, it is submitted, remain as the judgment of the Department upon the communication referred to. It is to be added upon the single point of the duration of his stay in Canada that it is declared by two unimpeached witnesses that he was seen by them in Canada in February last, and as late as on or about the 12th or 13th of that month; and the place, and indeed the hotel, at which he was seen and conversed with are specified. But if his own statement be credited he must have permanently left Canada in or about the month of October, 1864. It may be said that this Bureau has now no doubt that it will be enabled, by means of abundant additional witnesses, to fix the term of Clay's stay in Canada even more precisely than it has already been made to appear.

This strong assurance of further proof in the case, in connection with the fact of the recent deposition of the altogether new witness above cited, and the expectation that that of his companion will be presently obtained, goes to indicate that the employés of and sympathizers with the late leaders of the rebellion in Canada are becoming so far emancipated

from the influence of their superiors as to venture to come forward and declare the truth. But up to a recent period it has been a matter of no little difficulty to induce these parties to voluntarily offer their testimony in these cases, and it is clear that the Government can be charged with no laches in not sooner instituting judicial proceedings in the instance of Clay. In consideration, however, of all the testimony in the possession of the Government, as well as that believed to be within its reach, it is concluded that but little further delay will be necessary before the case may be prepared for trial. It is therefore advised by this Bureau that as soon as such preparations shall be completed this party be brought before a military commission upon charges, not only of complicity in the plot of assassination, but also of violation of the laws of war, in authorizing and directing guerrilla raids and the burning of cities, and in promoting the introduction of pestilence into our territory. These latter acts, indeed, established as they are, not only by the evidence of others, but in part by his own written declarations, are of themselves proof that in prosecuting war upon his country he had reached a depth of guilt which fully prepared him for participation in the culminating crime of the war. It has been shown that he exulted in the monstrous attempt to spread the yellow fever in this city, through trunks of infected clothing brought here and disposed of by an agent of the rebellion; and it has been further shown that he calmly contemplated and prepared for the destruction at night, by the torch, of towns and cities in the loyal States, thus seeking to doom to certain and agonizing death thousands of innocent and unoffending citizens, among them the aged and infirm, with women and children, lying in their beds in the helplessness of unconscious sleep. Can it be supposed that a man who had done all this in the interests of the rebellion would hesitate to take any single life in his way, even though it should be the life of the President of the United States? The probability indeed is, that in comparison with the crimes he had already committed he regarded this as but a venial offense. It may therefore be safely assumed that the charge against Clement C. Clay of having incited the assassination of the President is relieved of all improbability by his previous history and criminal surroundings. Should these conclusions be approved and the trial of Clay be at the proper time ordered it is conceived that by this proceeding the Government will but respond to those claims of public justice which are deemed to arise out of the testimony herein presented.

J. HOLT,
Judge-Advocate-General.

JANUARY 18, 1866.

Since the foregoing was prepared the depositions of four witnesses have been taken at this Bureau, by which it is conclusively proved that Clay was in Canada during the months of January and February, 1865, and also within a few days after the assassination of the President. We have thus the oaths of six witnesses, whose testimony is in direct contradiction to the audacious declarations of Clay in his application for clemency addressed to the President, that at the date of the assassination he had been absent from Canada nearly six months. This falsehood must, it is believed, be accepted by the Government, as it clearly would be by the law, as one of the most striking indications of this man's guilt, the consciousness of which on his part could alone have prompted its utterance.

J. HOLT,
Judge-Advocate-General.

[Inclosure No. 2.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
November 23, 1865.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In the matter of the application of Hon. William Marvin, provisional governor of Florida, for the pardon or parole of D. L. Yulee, S. R. Mallory, and A. K. Allison, rebels, referred to me for report by your indorsement of the 7th instant, I have the honor to submit as follows:

The application alluded to is that addressed to the President under date of the 22d ultimo. In regard to Yulee and Mallory, the writer expressly states that he has not a word to say upon the subject of their political history, and he bases his request upon the general ground that he thinks they may both be permitted to return to the State without any injury to its interests. For Yulee, he adds, that "he is the president of a railroad company, whose interests are suffering for the want of his supervision and care;" and of Mallory he says, "He has the gout badly, which the dampness of the prison exasperates. His family are in Connecticut, and he would like to visit them. I think if he were set at liberty on parole I can be surety for his keeping it." These suggestions ignore totally the criminality of these men, and evidence a singular unconsciousness that there is anything to be considered beyond their personal interests and comfort in determining the question of their longer imprisonment. In behalf of Allison, Governor Marvin remarks, that "as president of the senate he became *ex officio* Governor of the State on the death of Governor Milton just before the collapse of the rebellion;" that he believes that the only gubernatorial act he did was to issue a proclamation ordering an election of Governor; that he is not a bad man; that he has been confined in Fort Pulaski since 1st of May, and that the people of the State would be much gratified to hear that he has returned to his family. This Bureau is at a loss to discover in these statements of Governor Marvin any suggestions whatever which should avail to direct the attention of the Executive to these cases as deserving of clemency, or even to do away with the presumption of the grave character of their crimes, at least of those of the two former, which arises from the mere action of the Government in confining the parties as rebel enemies. Here, indeed, the application might be left, but the allusion by the provisional governor to the political history of Yulee and Mallory in connection with the rebellion recalls the fact that it is this very history which precludes their being treated with any lenity at this time. This allusion renders it proper also, in order that a full appreciation of the acts of these men may be arrived at, that the circumstances of such history should be here set forth. As early as in January, 1861, these parties, then Senators of the United States from the State of Florida, jointly addressed to the Secretary of War a communication in the following language:*

To this communication was replied as follows.†

The traitorous animus of these men in endeavoring through their high official position to obtain from the Government the information sought has been abundantly illustrated since that early date. But the deliberate depravity of their purpose is most fully disclosed in two letters written at that juncture by Yulee to one Finegan, a correspondent at Tallahassee, Fla. The first of these letters is as follows.‡

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*Omitted here; see Series I, Vol. I, p. 349. †*Ibid.*, p. 351. ‡*Ibid.*, p. 442.

The original of this letter, captured by our troops at Fernandina, Fla., is in possession of the Government, with the envelope which inclosed it, bearing the official frank of the writer. The second letter, written two days after, has already been given to the public in McPherson's Political History of the Rebellion, page 392. It is as follows.*

This letter was printed in the newspapers of the country immediately after its capture by our troops upon their occupation of Fernandina. Mr. McPherson, page 392, adds the resolutions referred to, which are in the following terms.*

Here, then, is the record made by the parties themselves of their part in the gigantic conspiracy, which, upon the action and prompting of these men and their confederates, forthwith declared itself in open revolt and aggressive war. In maturing this conspiracy these traitors were no less actively enlisted than they were instrumental, especially as regards their own State, in executing its details of robbery and treason. On January 7 Fort Marion and the arsenal at Saint Augustine were seized by Florida and Alabama troops; on January 12 the important posts of Forts Barrancas and McRee, as well as the navy-yard at Pensacola, were captured. These were overt acts of treason, and the letters quoted leave no doubt but that they were committed under the direct instigation of Yulee and Mallory. The atrocity of the machinations of these men is strikingly aggravated by their skulking treachery. They were holding elevated public positions of trust and dignity, and were bound by solemn oath to support the Constitution and the laws, and by every obligation of personal and official honor to sustain the Government in its hour of trial and danger, yet they avow to their accomplices in the South that their object in continuing in their seats in the Capitol was to prevent the Government from taking measures for its defense. As they were the paid servants of the people, whose security and political life were in their hands, it is difficult, indeed, to express in adequate terms of condemnation the baseness of their conduct in thus, while Senators of the United States, secretly organizing from their vantage ground of trust and influence a war against the very existence of the Government of which they were themselves a part and of which they were the sworn guardians.

The parallel to their treachery, which is furnished by history in the instance of Catiline, whose name is a synonym for infamy, is so marked that it may well be adverted to. This conspirator also was a senator, as were many of his guilty associates; and it was in the very senate chamber of the republic that he perfected the plot which was to destroy his country. It was there, too, in his presence that his traitorous intrigues were exposed and stigmatized by Cicero, as were the treasonable purposes of his imitators in our own time arraigned and denounced upon the floor of our Senate by the statesman now at the head of the Government. Moreover, it was when baffled in his efforts for power and defeated in his contests for the consulship that Catiline sought by force and treachery to attain the objects of his lawless ambition. To this end he gathered around him a number of profligate public men, and with them raised an army of ignorant and unprincipled partisans with a view of marching upon Rome. So, too, the American traitors, overcome at a Presidential election and disappointed in their struggle to retain a disastrous sway over the National Administration, had recourse to arms for the perpetuation of their power; and, as if to render the parallel complete, we subsequently find their defeated candidate

* Omitted here; see Series I, Vol. I, p. 413.

for the Presidency a general of their forces, besieging our national capital. Here, however, the parallel, as regards the subjects of the present application, and many others, ceases to be applicable. The *effrenata audacia* of Catiline impelled him to the field of battle, where fighting he perished. But many of the most conspicuous of these modern conspirators—and this was especially true of Yulee and Mallory, either from intense selfishness or an impregnable caution—seem to have shrunk away from the bloody conflicts of the war in which they had so eagerly involved the deluded States and people they represented. Of the political history of these parties subsequent to the initiation of the rebellion little need be said. Of the details of the career of Yulee this Bureau has but slight information. Mallory, however, as is well known, held for a long period the office of Secretary of the Navy under Davis in the rebel administration. Allison, as has been perceived, was a senator in the Legislature of Florida after its secession, and was but lately acting Governor of the State. He has been a prominent agent in protracting the rebellion in his locality, and from his high official position has maintained the right of a State to defy the General Government. It may here be added that the perfidy and falsehood which inevitably attend treason are well illustrated in the case of Yulee in his personal written application for clemency to the President, which, with other papers heretofore filed with the Attorney-General, has been exhibited to me during the preparation of this report. In the course of this application, ignorant that his letter of 5th January, 1861, was in the hands of the Government, he has the effrontery to state as follows:

> I can truly say I did not leave my seat in the Congress of the United States to aid the rebellion. This is sufficiently proven by the circumstance that I did not, in fact, aid it, having taken no part in the formation nor conduct of the Confederate organization. I withdrew not in the spirit of rebellion, nor with the expectation of a conflict of force, but solely, as before said, from the motive of obedience to the will of my State, and in the sincere expectation and hope of a peaceful solution of the unhappy issue by an ultimate convention of the States, or some other mode of arrangement between them.

Again he says:

> I did not advise nor stimulate secession of the State, considering that in so responsible a step each citizen should act according to his own unbiased judgment.

In view of this deliberate falsification, and in view, in the case of Mallory, of the fact that he consented to hold for so long a time and up to so recent a period a most prominent position in the administration of Davis, the declaration of these men, contained in their communications addressed to the President and others, found among the papers referred to, to the effect that they now freely acquiesce in the principles of national union and human freedom established in our political system by the downfall of the rebellion, cannot but be received with suspicion and distrust. Such words coming up from the prisons to which these men have been justly consigned, may, considering their past history, be accepted as spoken rather in their own personal interest than in the interests of truth or of the Government, whose policy and principles they so lately assailed and insulted. At all events, such language cannot be received as any expiation of the crimes of which they are known to be guilty. It must thus be most clear, not only that the claim of these applicants to clemency is wholly unworthy to be entertained for a moment, but that the only action appropriate to their case would be their arraignment and trial upon an indictment for high treason. Indeed, a stronger case of treasonable conspiracy could not well be

conceived than that presented by the case of Yulee. His attempt, in connection with his colleague, to obtain from the Government information which could have been sought only for the purpose of facilitating a successful resort to force and armed rebellion; his urging upon his constituents in Florida the immediate capture of the forts and navy-yard at Pensacola, and their actual seizure by irregular troops one week after the date of his letter; his emphatic injunctions in regard to the speedy formation of a Southern army and Confederacy; his characterizing the Government and its supporters at that early day as the enemy, with his insolent declaration that he is willing to be their masters, but not their brothers; as also his record of the secret consultation of the Senators from the seceding States in which he took part, and his personal report of the traitorous scheme of action agreed upon—all these facts constitute a body of proof so strong and convincing as to exhibit his guilty participation in the conspiracy for the destruction of the Government in no less glaring a light than that of its acknowledged chief.

Of the criminality of Mallory at that early period, the evidence, though less full and significant, is perceived to be sufficiently positive to fix upon him beyond a question the character of one of the original conspirators against the Government. At a later date his administration of a department of the rebel Confederacy whose only business, in the absence of a navy, was simply the authorization and direction of a general system of piracy, has rendered his agency in conducting the rebellion more conspicuous and his name more odious even than that of his former colleague. As it is believed that punishment is yet to be visited on the rebellion, which, as is well known, involved in its course all other crimes, and that some atonement is yet to be made for the hundreds of thousands of lives sacrificed thereby, it would seem that the original conspirators who incited and organized the movement should be first arraigned and tried. To this class Yulee and Mallory unquestionably belong. The experience of the world has shown that great crimes never have been and never can be repressed without punishment, and that laws which are not vindicated when violated are, in effect, no laws at all. Should the statute against treason, for lack of its enforcement, cease to be a terror to ambitious men wickedly lusting for power, whatever protection might remain for individual life, there would be none whatever for the life of the nation, which would be exposed to the stabs of every traitor who might choose to lift his dagger against it. If the leaders in an unprovoked attempt to assassinate such a nation as this have not forfeited their lives, then it is not believed to be within the compass of human depravity to incur such forfeiture. The conviction is entertained that this Republic might exist for ages without developing in its bosom a band of conspirators and parricides more steeped in guilt or more surrounded with aggravations of criminality than those recently conquered by its arms, and who, covered with the blood of our people, are now standing in the presence of the Government, and, happily, completely in its power.

With the views expressed of the treasonable conduct of Yulee and Mallory no other recommendation can be made than that they be put upon their trial as soon as the interests of public justice will permit. It is not perceived how faith could be reposed in the parole of men who have already violated far more solemn obligations than such parole would impose. Allison's case differs from those of Yulee and Mallory, in that he was not a member of Congress or so conspicuous

in his treason as were they. In the position, however, in which he was placed—one of high State authority—he doubtless did all in his power to support the rebellion.

J. HOLT,
Judge-Advocate-General.

JANUARY 18, 1866.

Since the foregoing report was prepared the original letter to Finegan, of 7th January, 1861, together with the resolutions which accompanied it, has been recovered by the Government and is now in the possession of this Bureau. Both the letter and resolutions are in the handwriting of D. L. Yulee, and, as in the case of his letter of 5th January, 1861, the envelope inclosing them bears the U. S. postal stamp and the frank of the writer, thus showing that this Senator not only conspired against the Government while occupying his seat in the Capitol, but was actually treacherous enough to oblige that Government to become the unconscious bearer of the very dispatches which sought its own ruin. There have also been brought to light certain dispatches of S. R. Mallory, found in the State archives at Tallahassee, which were sent by him from Washington to the Governor of Florida, and by the latter laid before the convention by which the ordinance of secession was passed. The following are accurate copies of these papers:

WASHINGTON, D. C., *January 6, 1861.*

The PRESIDENT OF THE FLORIDA CONVENTION:

I send for the information of the convention the resolutions passed by a meeting of Southern Senators of last evening.*

S. R. MALLORY.

These telegrams establish conclusively that Mallory was actively co-operating with his colleague Yulee and the other conspirators named in the treasonable consultations and action then in progress at Washington, and in the arrangements then made for the violent seizure of the U. S. forts in Florida. One point presented in the correspondence deserves to be noticed, which is the confidence felt by both these conspirators that Chase, who had been educated by the United States, and while serving with its Army in the Engineer Corps had built the fort proposed to be captured, would, like themselves, readily use for the overthrow of the Government the information which he had acquired in its service and as its confidential agent. They did not at all mistake their man, as subsequent events fully proved.

J. HOLT,
Judge-Advocate-General.

Since the preparation of the foregoing an additional letter, addressed by D. L. Yulee to the rebel Governor Pickens, of South Carolina, under date of 20th of July, 1861, has been placed in my hands. It is wholly in the handwriting of the said Yulee, and it is believed to have been found by our soldiers on the occasion of the capture of Columbia, S. C. The following is a copy of this letter:

FERNANDINA, *July 20, 1861.*

Governor F. W. PICKENS, *Columbia:*

MY DEAR SIR: I give this to my friend Colonel Finegan as an introduction. I wish to ask you to do a favor to the State, which will in this case be also a favor to me. Colonel F[inegan] is arranging for a legion to serve during the war. I am anxious

*Omitted here; see Series I, Vol. I, Yulee to Finegan, p. 443, and Perry to McGehee, p. 444.

that Florida should be fully and well represented in the field. Our State is very much without armament and without much means in the treasury. What I wish to ask you to do is to let Florida have, as a great favor, a battery of field artillery for a company of his legion. It could be loaned either to the State or Confederacy for the purpose.

With kind regards to Mrs. P. and cordial remembrances to yourself,

I am, yours truly,

D. L. YULEE.

The earnest and traitorous appeal of this letter for arms with which to make war upon the Government, added to the telegrams and other letters hereinbefore quoted, shows how utterly false are the declarations made by Yulee in his memorial for pardon to the President, that he did not leave his seat in the Congress of the United States to aid the rebellion, and that he did not, in fact, aid it, and that he had not been connected with and did not participate in the civil or military action of the Confederate Government. A case so fully made out by the written avowals of this conspirator is not believed to require any further comment on the part of this Bureau.

J. HOLT,
Judge-Advocate-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
January 18, 1866.

General E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: I have the honor to report the health of the prisoner Davis as good as usual to-day, excepting that he complains a little of neuralgia. C. C. Clay, with the exception of his nervousness, is well.

I found eight enlisted men of the Fifth U. S. Artillery (stationed at this post) who had been in the rebel service and sent them to Williamsburg, Va., on detached duty.. The ordering of persons of that class away was the occasion of some sensation, which is not surprising in a place of this kind, deprived of other news matter.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

Deposition of Campbell Montgomery, taken at the office of the Judge-Advocate-General, in the City of Washington, on the 18th of January, 1866.

The deponent, being duly sworn, deposes as follows, viz:

Question. Where do you reside?

Answer. I reside at Detroit, Mich.

Question. Are you acquainted with Clement C. Clay, formerly of the U. S. Senate, from Alabama? If so, state when and where you have known him and under what circumstances.

Answer. I have seen him at Windsor, Canada West, either in the latter part of January or early in February, 1865. I incline to the opinion that it was early in February. I was not personally acquainted with Clay. He was pointed out to me by James Ford from Kentucky. I afterward saw him again at Windsor, some twelve days after the assassination of President Lincoln.

Question. Do you think you would be able to recognize him were you to see him again?

Answer. I think I should. It is proper to state that when I saw him the second time, as mentioned above, he was pointed out to me by George Young, a rebel refugee from Missouri, then in Canada.

C. MONTGOMERY.

Sworn and acknowledged at Washington, D. C., this 18th of January, 1866, before me.

GEO. C. THOMAS,
Notary Public.

—

Deposition of Ansel Byron Graham, taken at the same time and place.

The deponent, being sworn, deposes and says:

Question. Where do you reside?

Answer. I reside at Windsor, Canada West.

Question. Have you ever known Clement C. Clay, referred to in the foregoing deposition of Mr. Montgomery; if so, when and where?

Answer. I was introduced to said Clement C. Clay at Windsor, Canada West, in the month of February, 1865, and I then had a slight conversation with him. It was in relation to the extradition of Burley, the so-called Lake Erie pirate, who had been surrendered to the United States by the Canadian authorities. Mr. Clay condemned the action of the authorities in making the surrender. He had previously, in the fall of 1864, been pointed out to me, but I did not then make his acquaintance.

Question. Would you be able to recognize him were you to see him again?

Answer. I feel sure that I would.

Question. Do you know in what business Clay was engaged when you saw him in the fall of 1864?

Answer. I have no personal knowledge, but from information received deemed entirely reliable I believe that at that particular time he was having purchases of revolvers made through a gunsmith at Windsor.

ANSEL BYRON GRAHAM.

Sworn and acknowledged at Washington, D. C., this 18th of January, 1866, before me.

GEO. C. THOMAS,
Notary Public.

—

Deposition of James Merrill, taken at the same time and place.

The deponent, being duly sworn, says:

Question. Where do you reside?

Answer. I reside at Toronto, Upper Canada.

Question. Have you known Clement C. Clay, referred to in the foregoing depositions of Messrs. Montgomery and Graham? If so, please state when and where and under what circumstances.

Answer. Somewhere about the 13th or 14th of April, 1865, I met him on the sidewalk, coming from the Queen's Hotel, in Toronto, Canada. I did not know the person who was with him. On the 15th of April, 1865, I saw him again in Toronto. He was then in company with John H. Cameron, then passport agent. I had no personal acquaintance with Mr. Clay, but he was pointed out to me by prominent citizens of Toronto. It was at the time a subject of much conversation in Toronto

that Mr. Clay should dare remain in Canada after the passage of the law known as the "alien bill," which was passed by the Canadian Parliament in, I think, February preceding.

JAMES MERRILL.

Sworn and acknowledged at Washington, D. C., this 18th of January, 1866, before me.

GEO. C. THOMAS,
Notary Public.

—

Deposition of James Brown, taken at the same time and place.

The deponent, being sworn, deposes as follows:

Question. Where do you reside?

Answer. At Windsor, Canada West.

Question. Do you know Clement C. Clay? If so, please state when and where and under what circumstances you have seen him.

Answer. I first saw him in the fall of 1864 at the Queen's Hotel, Toronto, Canada. He was then pointed out to me by several rebel refugees and Confederate agents from the United States, who seemed to know him well. I saw him again in the winter of 1864-65, at Windsor, Canada—the first time, I believe, on 17th of January, and later again at the same place. When I saw him the last time he was in company with a Captain Hynes or Hines, and was going toward the depot of the Great Western Railroad.

JAS. BROWN.

Sworn and acknowledged at Washington, D. C., this 18th of January, 1866, before me.

GEO. C. THOMAS,
Notary Public.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
January 19, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report no change in the health of prisoners Davis and Clay since last report.

I inclose letter from Davis to his wife, which he desires forwarded. Your letter of the 15th ultimo was received to-day. I believe every precaution has been taken to avoid surprise and the utmost vigilance exercised. In addition to guards, &c., I have had detectives constantly on the alert since the prisoners were confined here. If you deem it advisable, I would suggest that the Districts of Norfolk and Portsmouth be added to my district, as they were during the summer. I can then be better able to watch certain known rebels and ascertain if a secession organization exists there.

I have the honor to remain, with the highest respect,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HEADQUARTERS DISTRICT OF FORT MONROE,
January 20, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoner Clay as well. Davis complains of suffering from neuralgia; otherwise he is well. He

has noticed the resolution in Congress with reference to his case, which gives him some uneasiness. He knows nothing of the other accounts which have appeared in the newspapers.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

ADJUTANT-GENERAL'S OFFICE,
January 20, 1866—12.15 p. m.

Maj. Gen. J. B. STEEDMAN, or
COMDG. OFFICER DEPT. OF GEORGIA, *Augusta, Ga.:*

The Secretary of War directs that A. K. Allison, of Florida, confined in Fort Pulaski, Ga., be released on giving his parole to repair to Florida and remain within the limits of that State, reporting his address, and to abide the orders of the President of the United States. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

ATTORNEY-GENERAL'S OFFICE,
Washington, January 23, 1866.

Mrs. VARINA DAVIS, *Augusta, Ga.:*

MADAM: I am directed by the President to say that you can go to your children in Canada whenever it may suit your convenience.

I am, madam, most respectfully,

JAMES SPEED,
Attorney-General.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., January 24, 1866.

Brig. Gen. E. D. TOWNSEND,
Asst. Adjt. Gen., War Department, Washington, D. C.:

SIR: I have the honor to reply to your communication of the 10th instant. General J. B. Clark was a conspicuous rebel until about the time of the surrender of E. K. Smith, and to avoid consequences escaped into Mexico with the intention of either settling in that country as an enemy to the United States or else going to California. Failing in his intentions he returned from Mexico to San Antonio, Tex., where, under directions from me to arrest civil and military representatives of the rebellion so going to and returning from Mexico, he was arrested by Major-General Merritt and sent to me at New Orleans.

He came in company with Dr. W. M. Gwin, and when his case was reported by me I received instructions to confine him at Fort Jackson (see inclosed copy of telegram).*

Doctor Gwin also came from Mexico to San Antonio and was arrested under the same order and sent to me at New Orleans. He was confined by order of the President, as per inclosed copy of telegram.*

At my request, made from fear that the mind of J. B. Clark was becoming affected by his misfortunes, he was released, as per inclosed copy of dispatch from the War Department.†

I am, sir, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General, U. S. Army, Commanding.

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* See September 29, 1865, p. 760.

† See November 13, 1865, p. 795.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., January 24, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose weekly report of Surgeon Cooper concerning the state prisoners. Davis has not complained to me. He exercises daily.

I am, general, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers, Commanding.

[Inclosure.]

FORT MONROE, VA., *January 24, 1866.*

ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that state prisoner Jeff. Davis is suffering with dyspepsia of rather a severe form, complicated with facial neuralgia. State prisoner Clement C. Clay is in comparatively good health, with the exception of having, at intervals, severe attacks of spasmodic asthma.

Your most obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

GENERAL ORDERS, No. 4. HDQRS. DEPARTMENT OF GEORGIA,
Augusta, Ga., January 24, 1866.

I. Before a military commission which convened at Savannah, Ga., December 6, 1865, pursuant to Special Orders, No. 123, headquarters District of Savannah, First Division, Department of Georgia, dated December 9, 1865, and of which Lieut. Col. Edwin Ilsley, Twelfth Maine Volunteers, is president, was arraigned and tried—

Hugh W. Mercer, citizen, late brigadier-general, C. S. Army.

CHARGE I: Murder, in violation of the laws and customs of war.
CHARGE II: Murder.

Findings of the commission, not guilty.
And the commission do therefore acquit the said Hugh W. Mercer, late general in the so-called C. S. Army.

II. The proceedings and findings of the commission in the foregoing case of Hugh W. Mercer, citizen and late brigadier-general in the so-called C. S. Army, are approved, and the prisoner ordered released from arrest.

* * * * * * *

By command of Bvt. Maj. Gen. J. M. Brannan:

S. B. MOE,
Brevet Colonel and Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 25, 1866.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fortress Monroe, Va.:

GENERAL: I inclose herewith an order that Rev. Dr. Charles Minnigerode, of Richmond, Va., be permitted to visit Mr. Jefferson Davis on

the conditions expressed in the within form of parole.* The Secretary of War desires you to communicate this to Doctor Minnigerode and on his signing the parole to permit him to visit Mr. Davis twice a month.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 24, 1866.

Maj. Gen. N. A. MILES, *Commanding, &c., Fortress Monroe, Va.:*

Application having been made by the Rev. Charles Minnigerode, of the city of Richmond, for permission to visit Jefferson Davis in Fortress Monroe as a spiritual adviser and for religious purposes set forth in the letter of Mr. Minnigerode, dated November 28, 1865, addressed to the Secretary of War, it is ordered that, on a parole embodying the pledges heretofore made being signed by Mr. Minnigerode, such permission be granted him twice a month, for the purposes and subject to the engagements specified in the said letter.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 26, 1866—7.15 p. m.

Maj. Gen. N. A. MILES, *Commanding, &c., Fort Monroe, Va.:*

The President directs that Mrs. Clay be permitted to visit her husband alone. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., January 29, 1866.

General E. D. TOWNSEND, *Assistant Adjutant General:*

GENERAL: I have the honor to report the prisoner Clay as well. Davis is very comfortable but complains some of dyspepsia.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 29, 1866.

Brig. Gen. JOHN E. MULFORD,
Agent of Exchange, Richmond, Va.:

GENERAL: I have the honor to acknowledge the receipt at this office of the following papers forwarded by you, viz: Statement of claims filed in your office for moneys and valuables taken by the enemy from Federal prisoners (accompanied by original letters); statement of balance in kind due Federal prisoners, made up by you from papers and information obtained from rebel records; invoices of watches and jewelry

*See inclosure, Miles to Townsend, January 30, p. 874.

belonging to Federal prisoners; invoice of watches belonging to Confederate prisoners; statement of moneys belonging to Confederate prisoners, together with the original letters in which the remittances were forwarded; voucher for 311 private packages addressed to prisoners of war turned over to officers of the Freedman's Bureau, Richmond, Va., by authority of the Secretary of War, for benefit of destitute contrabands; receipt of Christian & Lea, Richmond, Va., for tobacco placed in their charge belonging to rebel prisoners. I transmit herewith receipt for moneys, watches, and valuables forwarded by you to this office. There is a slight difference between the amount of funds received and your invoice. See duplicate of invoice herewith returned with accompanying receipt.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., January 29, 1866.

CHRISTIAN & LEA, *Commission Merchants, Richmond, Va.:*

GENTLEMEN: I have the honor, by direction of the Commissary-General of Prisoners, to request that the tobacco placed in your hands by General Mulford on account of late rebel prisoners may be sold at auction at once and the proceeds transmitted to this office. Report sales by name, with amount accruing from sale of each package. It was expected that this would have been done under the direction of General Mulford, but as he has turned the property over to your charge it is requested that it may be disposed of as above directed.

Very respectfully, your obedient servant,

W. T. HARTZ,
Brevet Major and Assistant Adjutant-General.

NEW YORK, *January 30, 1866.*

Maj. Gen. L. THOMAS, *Adjutant-General:*

From the best information I can get they are not going to serve the writ of habeas corpus on General Hooker, but issue it to be served on the commanding officer of Fort Lafayette in the case of Charles H. Cole, confined at this post as having connection with an attempt to release the prisoners of war at Johnson's Island on the lakes. Will the Department of War have me obey the writ or hold the prisoner? Please answer.

MARTIN BURKE,
Brevet Brigadier-General, Commanding.

ADJUTANT-GENERAL'S OFFICE, *January 30, 1866.*

Bvt. Brig. Gen. MARTIN BURKE,
Commanding Fort Lafayette, New York Harbor:

In reply to your telegram of this date relative to Charles H. Cole, the Secretary of War directs that you obey the writ and take the prisoner into court.

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
January 30, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report no change in the health of the prisoners Davis and Clay since yesterday's report.

I forward letter from Davis to his wife, which he desires may be forwarded, as also the parole of the Rev. Charles Minnigerode, who is expected here next Thursday.

I am, general, most respectfully, your obedient servant,
NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

[Inclosure.]

RICHMOND, *January 27, 1866.*

I, Charles Minnigerode, D. D., of Richmond, Va., do hereby pledge my word of honor as a gentleman and Christian minister that in all the visits I am permitted to make to Mr. Jefferson Davis at Fortress Monroe, Va., I will confine myself to ministerial and pastoral duties, exclusive of every other object; that I will in no way be a medium of communication between the said Davis and the outer world; that I will observe the strictest silence as to the interviews, and will avoid all modes of publication, not only as to what passes between us but as to the fact of the visits themselves.

CHS. MINNIGERODE.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 30, 1866.

Maj. Gen. N. A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: Upon the recommendation of Surg. George E. Cooper, forwarded in your communication of the 22d instant, the Secretary of War directs that the amount of $36 per month be allowed from the rebel prison fund for furnishing the prisoners Davis and Clay with such food as they require and for payment of the laundresses who do their washing.

I am, sir, very respectfully, your obedient servant,
E. D. TOWNSEND,
Assistant Adjutant-General.

PRIVATE.]

His Excellency the PRESIDENT:

SIR: Please receive my thanks for permission transmitted to me through Mr. Attorney-General Speed to go to Canada. But before I proceed there will you reconsider your decision not to permit me to see my husband. He is suffering and wretched. I fear an utter failure of his health if kept long in the state in which he now is. I have never desired to be either defiant or rude to you, but have greatly suffered, and perhaps may have appeared both in my unstudied expressions.

Will you exert your great power and exercise this clemency to me, the most helpless and wretched of all those over whom you rule? I look to you for protection and aid, in common with the people of our Southern country. I cannot feel that you will refuse it. May I hope

once more to sit near my sick husband? I cannot do anything for him in his great peril and agony but speak to him of my love and despair. Will you not let me do this? Neither is he nor am I responsible for the silly efforts for his escape, which are alleged to have been on foot, and which I deprecate as much as any one. Then do not, Mr. President, let me be the helpless sufferer. I will take any parole, do anything, if you will only let me see him. Will you not? I pray God daily to spare you for a long life. May I not hope that you will permit me to thank God for your clemency also?

With the hope that you will grant my prayer, offered with tears enough to float it to you if they were as many as the throbs of agony which bring them forth, I am, sir, regretful of the past, if in it I have unwittingly offended you.*

Very respectfully and prayerfully, yours,

VARINA DAVIS.

Mr. President, please decide this matter yourself. For the love of God and his merciful Son do not refuse me. Let me go to him and admire and bless your name every hour of my life.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., February 1, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward inclosed the report of Surgeon Cooper concerning the state prisoners Davis and Clay.

Davis exercises outdoors one hour a day, but hereafter, on recommendation of his surgeon, he will be allowed more time.

I am, general, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

[Inclosure.]

FORT MONROE, VA., *January 31, 1866.*

ASSISTANT ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that the state prisoners Jeff. Davis and C. C. Clay, in confinement here, are in about their usual health. Jeff. Davis, during the past week, has suffered more than usual from dyspeptic symptoms, and at one time gave indications of an attack of acute gastritis. He is to-day relieved and continues as heretofore. He requires more exercise than he takes, as his disease is more the result of confinement than anything else.

C. C. Clay has had two or three slight attacks of asthma during the past week, but seems to be better than usual. Exercise in his case, too, is necessary.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

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*This communication is without date, but see Speed to Mrs. Davis, January 23, p. 870.

Deposition of Robert B. Barber.

Question. What is your full name and where do you reside?

Answer. My name is Robert Burt Barber and I reside at present in Windsor, Canada West.

Question. Do you know Clement C. Clay, of Alabama?

Answer. I am quite well acquainted with him and have known him for several years.

Question. Did you ever see and know him in Canada?

Answer. I have seen him a number of times in Canada, both at Windsor and Suspension Bridge, or Clifton, Canada West.

Question. Did you see Clement C. Clay at any time in Canada in 1865?

Answer. I saw him and talked with him on the cars between Toronto and Hamilton on the 6th day of March, 1865.

Question. What means have you of knowing that it was in March that you saw him in Canada?

Answer. I was married on Sunday, the 5th of March, and the next day after my marriage I went with my wife to Hamilton and to London, Canada West, and on the trip from Toronto Mr. Clay congratulated me upon my marriage.

Question. Have you seen him since that time?

Answer. I have not. I went to Saint Paul, Minn., the following week after I was married and remained until December, 1865, and came back to Windsor to spend the winter.

Question. Do you think that you could identify Mr. Clay if you should see him?

Answer. I am very confident that I could.

R. B. BARBER.

Sworn and subscribed to before me this 1st day of February, A. D. 1866.

D. B. BROWN,
Deputy Clerk, Wayne County, Mich.

—

Deposition of Albert H. Ross.

Question. What is your full name and place of residence?

Answer. Albert H. Ross, full name; reside in Montreal, Canada East, when at home.

Question. Where have you been for the past four years?

Answer. Have been engaged as a clerk of the Hyrons House in Windsor, Canada West, most of the time for the past four years.

Question. Do you know Clement C. Clay, of Alabama?

Answer. I do. I have seen him several times at Windsor in the summer of 1864. He visited the Hyrons House very frequently with Colonel Steel and others.

Question. Did you see him at Windsor or in Canada in the year 1865?

Answer. I saw him a number of times in Windsor in the month of March, 1865.

Question. What means have you of knowing that it was in the month of March that you saw C. C. Clay in Windsor?

Answer. I quit clerking at the Hyrons House in January, 1865, and commenced boarding at the Hyrons House in March following, and only boarded there until

the forepart of April, and during the time I was boarding there Colonel Steel, Captain Hines, Mr. Leslie, C. C. Clay, and others took a social dinner, or wine dinner, at the general table in the dining room of the Hyrons House.

Question. Do you think you could identify Mr. Clay if you should see him?

Answer. I think that I could identify him readily.

A. H. ROSS.

Sworn and subscribed to before me this 1st day of February, A. D. 1866.

D. B. BROWN,
Deputy Clerk, Wayne County, Mich.

—

Deposition of Hiram L. Hall.

Question. What is your name in full and place of residence?

Answer. Hiram Lewis Hall. I reside in Toronto, Canada West.

Question. Do you know Clement C. Clay, of Alabama?

Answer. I know him well. I have been acquainted with him for the past fifteen or twenty years.

Question. Where did you become acquainted with him?

Answer. In Montgomery, Ala., where I have resided for the past twenty years until I came to Canada in 1862.

Question. Have you ever seen C. C. Clay in Canada?

Answer. I have met and conversed with him very frequently in Canada.

Question. Can you state when and where you saw him first in Canada?

Answer. I cannot give the exact date, but think it was some time in May or June, 1864, in Toronto, Canada West. He was in company with Mr. Holcombe. I think that is the first time I saw him in Canada.

Question. Did you see him often after that time?

Answer. I did see him several times at Toronto, Saint Catherines, and Clifton or Suspension Bridge.

Question. Did you at any time in 1865 see C. C. Clay in Canada; and if so, when and under what circumstances?

Answer. I met Mr. Clay in December, 1864, in Toronto and shook hands with him and bid him good-by as he was starting for Montreal to take a ship and endeavor to run the blockade into the Southern States. I supposed at that time that he had gone, but some time after New Year's, 1865, I met him again, when he said "that he had failed to run the blockade and returned to Canada."

Question. How late in 1865 do you think that you saw him?

Answer. I cannot tell exactly, but it was some time after the passage of the bill known as the Alien Bill when I saw him, and he said that he supposed that he should be compelled to go to England, as it would be just like some of his friends to prefer charges against him for violating the neutrality laws, and as that bill did not provide for any excuse he supposed he would have to "skedaddle."

Question. Have you seen him since that time?

Answer. I have not.

Question. Do you think that you could recognize him if you should see him?

Answer. I am quite sure that I could.

HIRAM L. HALL.

Sworn before me at the city of Toronto, in Upper Canada, the 2d day of February, in the year of our Lord 1866.

S. HEYDEN,
Clerk of the Crown and Pleas.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, February 5, 1866.

Bvt. Brig. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army, Washington, D. C.:

SIR: I have to state that I allowed the writ of habeas corpus in the case of Charles H. Cole to be served on me this day, and that I have to present him in the City Hall at the court-house in Brooklyn on the 10th instant at 9 a. m.

Very respectfully, your obedient servant,

MARTIN BURKE,
Brevet Brigadier-General, U. S. Army, Commanding Post.

Deposition of Sarah Douglass, taken at the office of the Bureau of Military Justice, in the city of Washington, on the 6th day of February, 1866.

The deponent, being duly sworn, deposes as follows:

Question. Where do you reside and of what State are you a native?

Answer. I am a native of Virginia and have resided in Canada since the summer of 1864.

Question. Are you acquainted with Clement C. Clay, of Alabama; if so, where and under what circumstances have you known him?

Answer. I first met Clement C. Clay at the Clifton House, Niagara Falls, in the summer of 1864.

Question. State what conversation you then had with him, or heard him have with others, in regard to the purpose of the rebels to take the life of President Lincoln.

Answer. Mr. Clay at the time mentioned came into the parlor at the Clifton House, where I was sitting, and a Mr. Stone, as I now recollect, who was from the South, asked him if he had any good news, and if he had secured a place yet, referring, as I understood it, to the informal conferences which were then believed to be going on at the Falls. Mr. Clay replied that he had got a piece of Yankee impudence. Mr. Stone asked how was that. Mr. Clay answered: "Father Abraham says if we will abandon slavery and everything else we can then come to Washington and talk about peace." One of the ladies present then spoke, saying: "Mr. Clay, do you then abandon the idea of securing peace?" He replied: "It looks very dark now, but we will make one more effort, and if he does not make peace with us he had better make peace with Heaven, for we will carry the war into the White House." Mr. George N. Sanders then entered the parlor and called Mr. Clay out and the conversation was not continued.

My next meeting with Mr. Clay was at Toronto, Canada, at our own house, which my husband and myself had taken and occupied, a little out of the town. Our house was a sort of headquarters for the Confederates, where they met and discussed their plans for raids and other hostile acts against the United States. One evening when several Confederates were there engaged in their customary discussions Mr. Clay remarked to them that the plan they were then discussing would do very well as far as it went; that it would be easy enough to put old Abe out of the way, but that it was necessary to make a clean sweep of it and clear out the Cabinet and General Grant and the rest. No other plan, he said, was worth a song. This was in November, 1864. Some days afterward he called again at our house and wished to see my husband, who happened to be absent. I asked him what news he had. He

answered he had none except from Georgia, and that was very bad. I said, "I am tired and sick of the war and wish it was over." He answered, "It will soon be over; for if the boys carry on their war as bravely in Washington as they expect they will soon put an end to it." I replied that I did not like the idea of my husband being engaged in any such business as that, and that if he was to fight I would rather he would go and fight bravely in the field, and added that I did not see how a small body of men could go to Washington and attack Mr. Lincoln and his Cabinet and escape with their lives. Mr. Clay answered, "That will be easy enough, if they act bravely, for they will be taken by surprise and not looking for such a thing, and before they would recover from the surprise of the attack our friends would escape, and besides," he said, "even if they were captured they would only be treated as prisoners of war." He further stated that Lincoln would hang us—meaning, as I understood, the leaders of the rebellion—as dogs if he could catch us, and that he did not think there was any more harm in our taking his life than there would be in his taking ours. He added that the Yankee spies had already attempted to destroy President Davis and family by burning their house, and he had reason to believe that this was done by Lincoln's order, and he argued that this alone would justify them in what they were proposing to do. I expressed the opinion that it was not a very brave act to kill persons in this way in the dark without giving them any warning, but he insisted that it was right to kill such scoundrels in any way that it could be done. My husband then came in and he and Mr. Clay went away together. I saw Mr. Clay subsequently but had no conversation with him.

SARAH DOUGLASS.

Sworn and acknowledged at Washington, D. C., this 5th February, 1866, before me.

GEO. C. THOMAS,
Notary Public.

—

Deposition of Mary Knapp, taken at the office of the Bureau of Military Justice on the 6th day of February, 1866.

Being duly sworn, the deponent states as follows:

Question. Where do you reside and of what State are you a native?

Answer. I am a native of Maryland and have resided for several years at Kingston, Canada.

Question. Have you known Clement C. Clay; and if so, when and where, and under what circumstances?

Answer. I was introduced to Mr. Clement C. Clay at the house of Mrs. Sarah Douglass at Toronto, Canada, in November, 1864. It was on the occasion of his calling for the purpose of seeing Mr. Douglass, as mentioned by Mrs. Douglass in her deposition just given in this office. Mr. Douglass was not at home, and Mr. Clay remaining, a conversation took place in my hearing between him and Mrs. Douglass. This conversation is remembered by me with entire distinctness and is truthfully set forth as it occurred, in the deposition of Mrs. Sarah Douglass referred to, and which has been taken in my presence and hearing.

MARY KNAPP.

Sworn and acknowledged at Washington, D. C., this 5th February, 1866, before me.

GEO. C. THOMAS,
Notary Public.

—

Deposition of William H. Carter, taken at the office of the Bureau of Military Justice on the 9th day of February, 1866.

The deponent, being duly sworn, deposes as follows:

Question. Of what country are you a native and where do you reside?

Answer. I am a native of Virginia and have been sojourning in Canada for several years, where I now reside.

Question. Are you acquainted with Clement C. Clay, of Alabama? If so, state when and where, and under what circumstances you have known him.

Answer. I am acquainted with him; have known him for several years in Canada.

Question. What knowledge, if any, have you of any conspiracy or enterprise formed in Canada during the late rebellion for the purpose of taking the lives of Abraham Lincoln and his Cabinet, and other high officers of the United States Government? Set forth fully all you may know in regard to any such enterprise, and to the connection, if any, of Clement C. Clay therewith.

Answer. I was, in the month of November, 1864, at a private house in Toronto, Canada, with my friend John McGill and Captain Kennedy, who I saw from the public papers was subsequently hanged in New York. He was known to be and professed to be in the service of the so-called Confederate States. In the course of our conversation, and in reference to what had been previously said between us on the subject, Captain Kennedy proposed that we should go down to the Queen's Hotel and see Clement C. Clay. We accordingly went down and met there Clement C. Clay, with several other men who were personally unknown to me. After some time Clay came out of the room in which he was, with the persons named and with Captain Kennedy, who had joined them, and was introduced to us by Kennedy, who represented us as persons who were their friends and were about to enter into their enterprise. This enterprise, as it was understood between us, was the taking of the lives of Abraham Lincoln, President of the United States, and his Cabinet. General Grant may also have been spoken of as one who was to be put out of the way, as he was very often mentioned by the Confederates in Canada as one who should be taken off with the President and Cabinet, but whether on the particular occasion referred to he was spoken of I cannot now certainly state. Mr. Clay said, on our being introduced, that he was glad we were going to enter into the business, but that it was a very risky business, and that if we did not succeed we might be hung. He said if we succeeded and returned to Canada we would be rich men. While we were conversing together—Clay, Captain Kennedy, McGill, and myself—either Clay or Kennedy, I cannot now certainly recall which, remarked to us that if we succeeded in washing our hands in the blood of the "Monkey Abe" and his Cabinet we would be heroes. When about separating Mr. Clay gave us $10 each to help meet our expenses.

W. H. CARTER.

Sworn and acknowledged at Washington, D. C., this 9th February, 1866, before me.

GEO. C. THOMAS,
Notary Public.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
February 7, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report prisoners Davis and Clay well to-day. Inclosed please find Surgeon Cooper's weekly report.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *February 7, 1866.*

ASSISTANT ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that the prisoners of state Jeff. Davis and C. C. Clay are in their usual health.

C. C. Clay for the two last days has been somewhat indisposed from muscular rheumatism of left arm, caused by the cold weather. Jeff. Davis is rather less dyspeptic than at last report.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HEADQUARTERS FORT LAFAYETTE,
New York Harbor, February 10, 1866.

Bvt. Brig. Gen. D. T. VAN BUREN,
Asst. Adjt. Gen., Headquarters Department of the East:

SIR: I have to state that Charles H. Cole, late prisoner at this post, has been discharged by Judge Gilbert at the Brooklyn court-house this day.

Very respectfully, your obedient servant,

MARTIN BURKE,
Brevet Brigadier-General, U. S. Army, Commanding Post.

[Indorsement.]

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, February 12, 1866.

Respectfully forwarded to Adjutant-General's Office. Cole was confined as one of the party who attempted to seize the U. S. steamer Michigan on Lake Erie in 1864, &c.

JOSEPH HOOKER,
Major-General, Commanding.
By D. T. VAN BUREN,
Assistant Adjutant-General.

WASHINGTON, D. C., *February 13, 1866.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: A conversation which I have lately held with Mr. Holland, the counsel of Mr. Gee, who is ordered to be tried before a military commission in Raleigh on a charge of cruelty to the Federal prisoners of war at Salisbury, had induced me to believe that it will be greatly to the satisfaction of the people North and South if before Mr. Gee is put on his trial a court of inquiry should be held and the circumstances connected with the horrors of that prison-house be fully investigated, in order that the whole truth may be known and the responsibility for the terrible suffering in that place may be made to rest on the shoulders of the right persons. Mr. Holland believes that if such a court is held and a full inquiry had that it may be easily shown that persons much higher in command than his client are much more guilty than he. Mr. Holland [Gee] had the rank only of major in the insurgent army, and was charged only with the duty of guarding the prisoners, while he had no authority over the quartermaster or commissaries or surgeons, and could supply neither fuel nor shelter nor food nor medicine. It is believed by Mr. Holland that proof can be made of the guilt of the higher chiefs of the rebellion, and that Major Gee can satisfy a court of inquiry that he ought not to be made the scapegoat for the sins of others much more guilty.

I have the honor to be, very respectfully, your obedient servant,

WM. MARVIN.

[First indorsement.]

WAR DEPARTMENT, *February 14, 1866.*

Referred to Judge-Advocate-General for such action as he deems proper.

E. M. STANTON,
Secretary of War.

[Second indorsement.]

BUREAU OF MILITARY JUSTICE, *February 16, 1866.*

Respectfully returned without favorable recommendation. The general condition of the rebel prisons in which our soldiers were confined, as well as the treatment to which these soldiers were subjected, have been so fully exposed in various trials that it is not believed to be necessary to pursue the investigation further through the court of inquiry proposed. If the prisoner Gee wishes to defend himself by criminating his superior officers or others he will have the opportunity of doing so before the military commission by which it is expected he will be tried.

J. HOLT,
Judge-Advocate-General.

[Third indorsement.]

NOTE.—The report of the Judge-Advocate-General was exhibited to the Secretary of War February 19, 1866, who directed me to exhibit the same to Mr. Holland, counsel for Gee, as decisive of the application. This I did February 19, 1866.

JAS. A. HARDIE,
Inspector-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., February 14, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward herewith the report of Surgeon Cooper relative to the health of the prisoners Davis and Clay.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

[Inclosure.]

FORT MONROE, VA., *February 14, 1866.*

ASSISTANT ADJUTANT-GENERAL,
Military District of Fort Monroe:

SIR: I would respectfully report that the health of state prisoner Jeff. Davis is much better, both mentally and physically, than at any time since my arrival here. I observe that his general health is almost entirely dependent upon his diet, which must be delicate but generous. He eats but little, but that little must be of the best quality and well cooked.

State prisoner C. C. Clay has suffered for some three or four days from catarrhal fever. He is much improved, however, and is now comparatively well.

I have no recommendation to make save that both prisoners have frequent exercise in the open air.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., February 22, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose the report of Surgeon Cooper concerning the state prisoners. Clay is better to-day than he was yesterday. He exercises daily in the open air.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *February 21, 1866.*

ASSISTANT ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I respectfully report that state prisoner Jeff. Davis is in the enjoyment of moderately good health. During the past week he, for some thirty hours, suffered from facial and cranial neuralgia.

C. C. Clay is at present quite unwell. He is suffering from malarial disease; is quite weak, restless, and without appetite.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

Deposition of John H. Patten, taken at the office of the Judge-Advocate-General, in the city of Washington, on the — day of February, 1866.

The deponent being sworn, deposes as follows, to wit:

Question. Of what State are you a native and where do you now reside?

Answer. I am a native of Georgia, but for the last two years I have resided at Saint Louis. I came to Richmond, Va., the latter part of the year 1862 and made it my home, though not always there until the latter part of the year 1863.

Question. Were you at any time in the military service of the so-called Confederate States?

Answer. I was not. I furnished a substitute and afterward, as a means of making a living, entered into speculations in connection with the supply of the army.

Question. What knowledge, if any, have you of an arrangement or conspiracy entered into in 1863, or at any other time, for the kidnaping and, if necessary, the killing of the President of the United States? State fully all the knowledge and information you have on the subject, setting forth the connection, if any, of Jefferson Davis with such arrangement or conspiracy and his action in relation thereto.

Answer. I know Jefferson Davis very well and have had two conversations with him in regard to a project to capture or assassinate President Lincoln. These conversations took place in July, 1863, in Mr. Davis' office in Richmond. The first conversation took place under these circumstances: A friend of mine named Lamar, who had served some time in the Confederate Army, said to me that he was about to set on foot an enterprise which if carried out would immortalize and enrich all who engaged in it, and he wished me to join him. I asked him the nature of his enterprise and he said it was to capture Lincoln and bring him a prisoner to Richmond. At first I thought he was jesting, as it seemed to me a mad project and next to an impossibility, but he assured me he was in earnest. I then asked him who was the originator of the scheme, and if the President and Secretary of State, Mr. Benjamin, were known to it. He said that he had made a written proposition to the President and was backed up by Secretary Benjamin and Winder. He further said that Winder had already assured him that Mr. Davis favored the project, but that he had not as yet received a direct answer from the President himself. I told him if

I could see a reasonable prospect of success I would go in with him, but that I could not afford to spend much money in so uncertain a business. He said of course the necessary funds would be furnished us by the proper authorities. He then proposed that we should go at once to General Winder, which we did. After the usual formalities General Winder said, in answer to a question by me, that the President fully approved Lamar's project, and furthermore his plans as far as they had been set forth in his (Lamar's) communication. I then asked Winder if the Secretary of War, Mr. Seddon, was in favor of it. Winder answered that the Secretary of War was an old fogy and was not worth talking to on such a subject. Winder then proposed that, in order that we might be satisfied that the project was fully approved by the President, we should call on the President at once. We did so and Winder introduced the subject to the President, saying that these men, referring to Lamar and myself, wanted to hear from his (the President's) own lips what protection we would receive in the event of our being captured in executing our undertaking. The President replied that we should receive all the protection the Government could afford, and that if captured he would hold as hostages two for one until we should be released. The President then said, addressing Lamar, that the undertaking he was about to engage in was a dangerous one and required a great deal of skill, caution, and courage, and that the salvation of the Confederacy possibly depended on his success; that he should take care to engage none but men of sobriety and courage to assist him; that he should know them well, and should not disclose his plans until all was ready. President Davis further said that he did not wish that the life of Lincoln should be taken unless absolutely necessary; that if he could be brought a prisoner alive it would serve the country equally as well and perhaps better than to kill him, but that if it was necessary for our own safety, or we could do no better, that we should mete out to him the deserts that the greatest tyrant the world ever saw deserves, which is death. Lamar then spoke about the necessary funds to carry out his plans. Davis said we should be furnished through General Winder with all the funds necessary. After a few words of caution from Mr. Davis we left his office. The next day Lamar received from General Winder some funds, consisting of greenbacks and Confederate notes. I received from Lamar $250 in greenbacks and $500 in Confederate notes. We then went to work to engage men for the project and sent them North, some to Baltimore, some to Washington, and some to Georgetown, to await orders. I engaged and forwarded three myself, and Lamar and other parties engaged and forwarded about twenty others. The next conversation I had with Mr. Davis took place about a fortnight later than the one hereinbefore referred to, and after the assistance engaged had been sent North. A man named McCulloh, who had been engaged by Lamar to aid in the enterprise, had been arrested for disclosing the plot and sent to Castle Thunder. As soon as Lamar heard of the arrest he called on me, and we went together to the office of General Winder to learn the particulars. We were there informed by Captain Winder, son of the general, that his father had gone to see the President in regard to McCulloh's case, and Lamar and I forthwith started for the President's office. We there found the President, General Winder, and Mr. Wright, a Government detective, in conversation. As soon as we were admitted General Winder said to Lamar, "One of your drunken scoundrels has been raising hell, and unless you strike at once your scheme will be thwarted." Mr. Davis then said, "Yes, gentlemen, you must proceed to the execution of your project immediately or failure will be certain. These blockade-runners, such as McCulloh has been boasting to, are half of them Yankee spies and may lose no time in communicating what they heard to their Government, and thus place their President on his guard, and thus render your efforts futile." Winder then repeated with an oath, "Yes; strike at once and bring the monkey here, body and soul, as soon as possible; and if you can't bring his whole carcass, fetch his damned scalp." Mr. Davis then said, "Gentlemen, you will not misunderstand your instructions; it is my wish that you capture and bring Mr. Lincoln within our lines without harming a hair of his head, if possible; but if after making the capture you find there is danger of his being retaken, you will take care that he does not return to Washington alive. If you find it impossible to effect his capture at all, remember that he is your enemy and Commander-in-Chief of the Northern Armies, and that you have the right, and that it is your duty, to cut him down the same as any other officer or soldier belonging to those armies." Lamar then said, we had already sent enough men North to do the work, and that we were prepared to follow at once, but that we required more funds for the execution of our plans when we should get North. Mr. Davis then said, "General Winder will see that you receive all that you require." Some instructions were then given by the President and General Winder to Wright in regard to detaining the persons who had heard McCulloh's disclosures. After a little more conversation with the President, in which he assured us of the great importance, in view of the operations of Grant about Vicksburg, and of Meade, who was forcing Lee back upon the capital, of our proceeding in all haste to the execution of our project, we left. General Winder supplied us with some money and gave Lamar a letter of credit to a firm in Baltimore to enable us to draw what funds we

should require while North. When we reached here we found that some of the parties had left the points indicated for them to remain at and could not be found. Several others we learned had been arrested and imprisoned; and the situation or position of the armies had so changed that we found it impossible to carry out our plans and finally we abandoned the project. Lamar returned to Richmond, but I had had enough of the Confederacy [and] proceeded north to Canada.

JOHN H. PATTEN.

Sworn and acknowledged at Washington, D. C., this 24th of February, 1866, before me.

GEO. C. THOMAS,
Notary Public.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., February 26, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: In compliance with the provisions of General Orders, No. 269, from the Adjutant-General's Office, dated October 11, 1864, I have the honor to transmit herewith the following unclaimed funds and valuables belonging to rebels who have been held as prisoners of war, the same having been turned over to this office by Bvt. Brig. Gen. John E. Mulford, U. S. agent for exchange, in pursuance of instructions contained in Special Orders, No. 6, dated War Department, January 6, 1866, viz: U. S. Treasury and national bank notes, $1,858.80; package said to contain gold and silver, $33.60; package said to contain, in Northern and Southern State bank notes, $424; box containing 66 watches. Duplicate invoices, with receipts, are herewith inclosed; also a statement giving names of rebels, late prisoners of war, to whom the funds above mentioned belong, with the amounts and character of funds due each one specified opposite their respective names.

I am, general, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

EXECUTIVE OFFICE,
Washington, D. C., February 26, 1866—12 m.

ALEXANDER H. STEPHENS, *Crawfordville, Ga.:*

Your letter of the 5th instant just received. The parole heretofore granted you is hereby amended so as to permit you to visit Washington, D. C., and such other places in the United States as your business may render necessary, subject to the conditions imposed in said parole.

ANDREW JOHNSON,
President of the United States.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
February 28, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report prisoners J. Davis and C. C. Clay, jr., well as usual, and inclose report of Surgeon Cooper, U. S. Army.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *February 28, 1866.*

ASSISTANT ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I have the honor to report that the health of state prisoner Jefferson Davis is good—better than at any time previous during my service at this post.

State prisoner C. C. Clay is in usual health, but somewhat troubled by nervous excitement and inability to sleep well. His asthmatic attacks are not as severe as they were some weeks since.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WASHINGTON, D. C., *March 2, 1866.*

Hon. E. M. STANTON, *Secretary of War, Washington, D. C.:*

SIR: I have in my charge a number of packages of money containing in all $5,847.75 received from the rebels and belonging to soldiers of the U. S. Army, the same having been turned over to this office by General Mulford, U. S. agent for exchange. The sum consists of every species of bank bills. I have also a number of unindorsed drafts, which of course are worthless.

I would respectfully recommend that the portion of the money represented by bills of various banks, and which are constantly undergoing depreciation, be converted into currency of the United States through the agency of the cashier of the National Bank of the Republic, which is a public depository and where I have placed the funds on special deposit.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 3, 1866.

Mr. CHARLES BRADLEY,
Cashier of the National Bank of the Republic, Washington, D. C.:

SIR: I have the honor to request that the $5,847.75 in Northern and Southern State bank bills on special deposit from this office in the National Bank of the Republic may be converted into currency of the United States. It is requested that the several packages marked to individuals may be converted separately and the amounts accruing from the exchange be credited (on a list to be furnished by you to this office) to the parties to whom they belong. The amount received from the exchange will be deposited subject to draft from this office.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 5, 1866.

CHRISTIAN, LEA & CO., *Richmond, Va.:*

GENTLEMEN: On the 29th of January I had the honor of addressing a letter to you, by direction of the Commissary-General of Prisoners, in

relation to certain packages of tobacco placed in your charge by General Mulford on account of rebel prisoners, and as no report has yet been received from you I am directed to inquire whether said letter was received, and if so, what action has been taken with regard to it. An early reply is respectfully requested.

Very respectfully, your obedient servant,

W. T. HARTZ,
Brevet Major and Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
March 7, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose the report of Surgeon Cooper referring to the state prisoners Davis and Clay, and also call your attention to the report of the board of survey convened by order from your office in reference to the tearing down of buildings on this point. The proceedings were forwarded direct as ordered.

I am, general, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *March 7, 1866.*

ASSISTANT ADJUTANT-GENERAL,
District of Fort Monroe, Fort Monroe, Va.:

SIR: I hereby report that state prisoners Jeff. Davis and C. C. Clay are in their usual health. During the past week C. C. Clay has been suffering from a light catarrhal fever from which he is now recovering.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

ADJUTANT-GENERAL'S OFFICE,
Washington, March 9, 1866.

Brevet Major-General HOLT, *Judge-Advocate-General:*

SIR: On the 2d of December, 1865, a telegram was sent from this office to General Terry stating that R. B. Winder had been sent to Richmond by direction of the President to be reported to him for trial, and that the papers containing charges would be forwarded as soon as received from the Judge-Advocate-General. Will you please inform me if any steps have been taken to secure the trial of Winder?

Very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

[Indorsement.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
March 10, 1866.

Respectfully returned.

The papers received by this Bureau have not been sufficient to enable me to prepare charges and specifications against R. B. Winder. Mr.

Ambrose Spencer, who professes to be well informed in regard to the criminal conduct alleged against Winder, has given distinct assurances from time to time that he would furnish such details in regard to this man's offenses, with names of witnesses, &c., as would enable the Government to put him on trial, but as yet he has not done so.

J. HOLT,
Judge-Advocate-General.

GENERAL COURT-MARTIAL ORDERS, No. 71.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, March 10, 1866.*

In the case of Robert M. Harrover, citizen, sentenced by a military commission "to be shot to death by musketry, at such time and place as the Secretary of War may direct, two-thirds of the commission concurring therein," which sentence was commuted "to confinement at hard labor in the penitentiary for ten years," as promulgated in General Court Martial Orders, No. 314, War Department, Adjutant-General's Office, October 3, 1864, the sentence is hereby remitted, and he will be paroled, as recommended by Lieutenant-General Grant, upon taking the oath of allegiance.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 14, 1866.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

You will extend the limits to which Clement C. Clay, jr., is now restricted, when permitted to take exercise in the open air, to such extent within the walls of the fort as may be consistent with his safe custody. You will also allow him a reasonable amount of stationery, his correspondence being subjected to the same inspection as at present.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 15, 1866.

Maj. Gen. N. A. MILES, *Commanding, &c., Fort Monroe, Va.:*

In reply to your dispatch of the 14th the Secretary of War directs me to say that, complying with the terms of the President's order, you, being responsible for the safe custody of Clay, will exercise your own discretion as to the surveillance over him while taking out-door exercise.

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., March 15, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward the surgeon's report of the condition of the state prisoners J. Davis and C. C. Clay, jr., and inclose letter from Davis to his wife.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *March 14, 1866.*

ADJUTANT-GENERAL,
Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I report that state prisoners Jeff. Davis and C. C. Clay are in the enjoyment of their usual health.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 16, 1866.

Messrs. CHRISTIAN, LEA & CO.,
Commission Merchants, Richmond, Va.:

GENTLEMEN: By direction of the Commissary-General of Prisoners I transmit herewith an extract from a communication received from the Internal Revenue Office in answer to inquiries contained in your communication to this office of the 6th instant, and by which you will see that the tobacco left in your charge to be sold on Government account is exempt from taxation. It will, however, be necessary for you to furnish to this office the number of pounds contained in each package or lot belonging to the several individuals to whom the tobacco is credited, with the amount accruing from the sale of the same, so that in case claim is made hereafter for the tobacco or funds, the proceeds of the sale, the tax may be collected from the claimant.

Very respectfully, your obedient servant,

W. T. HARTZ,
Brevet Major and Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., March 17, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the prisoners J. Davis and C. C. Clay, jr., to be very comfortable to-day. The orders of the 14th and 15th instant, authorizing me to use my discretion in the matter of giving Clay the liberty of the fort while his wife is here, have been received. Judging from his conduct since his confinement I do not think he would violate his parole, yet he might be taken out by his friends, and in that event being done I would be held responsible. I offered to place him on his parole, informing him I would take precaution to

know where he was during the time, and would be instantly informed if he went or was taken out of the fort. This he declined to accept, stating he considered it as doubting his honor after he had voluntarily surrendered himself to the Government. As he did not surrender to me, but was sent as a prisoner, and as such I am held accountable for, I do not feel authorized in assuming that responsibility. Should he have the liberty of the fort on his parole I should feel confident it would be considered sacred.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 19, 1866—4.30 p. m.

Maj. Gen. N. A. MILES, *Commanding, &c., Fort Monroe, Va.:*

Clement C. Clay, jr., will be permitted to have the liberty of Fort Monroe daily from sunrise to sunset upon his giving his parole of honor in writing not to leave the limits of the said fort, or to make any attempt to escape from custody, or to do or perform any act that may be hostile or detrimental to the interests of the Government of the United States. Please acknowledge receipt and report action taken.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
Washington, D. C., March 20, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to submit to you the following report in the cases of Jefferson Davis and Clement C. Clay (rebels) as supplementary to the previous reports rendered by me therein and made proper to be presented by the new and important testimony recently adduced:

I. In the case of Davis there has been added the deposition of John H. Patten, a witness of unusual intelligence and entirely reliable. In this deposition, the body of which is in his own handwriting, he sets forth the particulars of two interviews which he had with Davis in the summer of 1863, at which was discussed the plot then pending to seize President Lincoln and convey him to Richmond, with the understanding that he was at once to be put to death in case his rescue were attempted. It was at one of these occasions that there was present also the witness Wright. The substance of those statements is set forth in my report of 18th of January last. The testimony of Patten shows even more fully than that of Wright that this plot, which was really one of assassination under the pretext of a capture, was directly authorized and ordered by Davis, whose language at each interview is recited; and also that he gave specific directions as to the manner in which the scheme was to be executed, and proceeded to justify it as in accordance with the laws of civilized warfare. This testimony, while most important of itself, affords also a striking support of the proof, detailed in the report of January 18, in regard to the authorization by Davis of the subsequent plot of the next year, which actually resulted in the death of President Lincoln.

II. In the case of Clay, the new testimony is of the following character:

1. The deposition of William H. Carter, whose evidence was adverted to in the report of December 6 last, as then wanting, but expected to be soon obtained. This witness, who was present at the interview with Clay and Kennedy in November, 1864, the particulars of which are recounted in the deposition of his companion, McGill, already communicated, fully corroborates the latter in his statements in regard to the acts and language of Clay, and clearly exhibits the fact that this conspirator was not only cognizant of the plot then in progress to assassinate President Lincoln, the members of his Cabinet, and General Grant, but was actively engaged in directing the details of its proposed execution.

2. The depositions of Sarah Douglass and Mary Knapp, residents of Canada, who detail repeated interviews, principally at Toronto, between Clay and other rebels, at which they were present, in the summer and fall of 1864. At these interviews Clay not only discussed the plans for raids and other hostile acts in the interest of the rebellion and in violation of the laws of war, which he and his associates were then engaged in maturing, but spoke freely of the scheme of assassination, in which it is evident he was personally enlisted, as he was familiar with its details, anticipated with confidence its successful result, and entered upon a course of argument in its justification as a measure of legitimate warfare.

3. The depositions of two parties, one a citizen of Windsor, Canada West, and the other of Montreal, who state that they saw Clay several times in the month of March, 1865, at Windsor, and on one occasion on the railroad between Toronto and Hamilton, Canada West. One of these witnesses conversed personally with Clay, and both detail the circumstances connected with their meeting him, and are enabled by a reference to contemporaneous events to fix with certainty the dates mentioned. By this additional evidence, in connection with that set forth in my reports of 6th of December and 18th of January last, it is shown beyond any question that Clay remained in Canada in 1865 during the months of January, February, March, and April, certainly up to the 15th, the day succeeding the murder of the President. Thus by the cumulative testimony of eight reliable witnesses, to whom probably many others may be added, the assertion of Clay, by which he seeks to disprove the charge of complicity in the plot of assassination, that at the date of its execution he had been absent from Canada nearly six months, is shown, as heretofore urged, to be wholly false. The new depositions* thus referred to accompany this report, and though not needed to support the conclusive body of proof already fully presented in these cases, are most material in completing the chain of testimony by which the compassing of the assassination of the President is fixed beyond a reasonable doubt upon these two conspirators. With these depositions the preparation of the cases by this Bureau is properly terminated, and inasmuch as both the criminals and the proofs of their crime are now in the hands of the Government, it only remains for me respectfully, but most earnestly, to renew my former recommendation that Davis and Clay be arraigned and tried before a military commission. As this tribunal, the only one believed to be competent to ascertain and pass upon the guilt of these men, may presently be ousted of its jurisdiction by the anticipated operation of the

* See depositions of Barber, p. 876; Ross, p. 876; Douglass, p. 878; Knapp, p. 879; Carter, p. 879; Patten, p. 883.

proclamation which is to declare the termination of the state of war, there is danger that unless such commission be speedily convened their crime, certainly one of the most atrocious and appalling of the nineteenth century, will pass unpunished.

J. HOLT,
Judge-Advocate-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
March 20, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to acknowledge receipt of telegram of yesterday regarding C. C. Clay, jr. He was placed on his parole to-day, a copy of which is herewith inclosed.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *March 19, 1866.*

I, Clement C. Clay, jr., for the privilege of being permitted the liberty of the grounds inside the walls of Fortress Monroe between the hours of sunrise and sunset, do hereby give my parole of honor that I will not leave the limits of the said Fortress Monroe, nor will I make any attempt to escape from custody, nor will I do or perform any act that may be hostile or detrimental to the interests of the Government of the United States.

C. C. CLAY, JR.

Witness:
CHAS. E. GRISSON,
Captain, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., March 21, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward the report of Surgeon Cooper concerning the health of state prisoners Jeff. Davis and C. C. Clay, jr. Surgeon Cooper's recommendation has been acted upon.

I have the honor to be, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *March 21, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that the health of state prisoner Jeff. Davis is not as good as at my last report. He is in a state of high nervous excitability; is complaining of fullness of the head and a tendency to vertigo. He seems to be wasting away gradually and losing flesh. This is scarcely perceptible to one who sees him day by day, but it is nevertheless certain.

State prisoner C. C. Clay has been troubled with diarrhea during the past week; is much weakened in consequence, and on yesterday was scarcely able to walk around, and at night was much prostrated. This morning he seems decidedly improved, and I have no doubt but that he will recuperate under his extended limits.

I would respectfully recommend that the outdoor exercise of prisoner Davis be more fully indulged in, and that some arrangement be made to prevent the noise caused by the constant tramp of the sentinels, which seems to irritate his nervous system.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 24, 1866.

CHRISTIAN, LEA & CO., *Richmond, Va.:*

GENTLEMEN: By direction of the Commissary-General of Prisoners I have the honor to acknowledge the receipt at this office of report of sale of tobacco on account of rebel prisoners; also a check of net proceeds of the sale in the amount of $851.09.

Very respectfully, your obedient servant,

W. T. HARTZ,
Brevet Major and Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 25, 1866—8.35 p. m.

Maj. Gen. J. M. BRANNAN, U. S. Volunteers,
Commanding Department of Georgia, Augusta, Ga.:

You are directed to discharge from custody D. L. Yulee, now confined at Fort Pulaski, upon his giving his parole to go to the State of Florida and remain within the limits thereof, reporting his address monthly to the Adjutant-General of the Army, and to hold himself ready to abide the orders of the President of the United States, and to answer any charges which may be preferred against him, until further orders.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 25, 1866—12.20 p. m.

Maj. Gen. A. H. TERRY,
Commanding Department of Virginia, Richmond, Va.:

You are directed to discharge from custody R. S. McCulloh, now confined in Richmond, upon his giving his parole to go to New York and remain there, reporting his address monthly to the Adjutant-General of the Army, and to hold himself ready to abide the orders of the President of the United States, and to answer any charges which may be preferred against him, until further orders.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., March 28, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose Surgeon Cooper's report regarding health of state prisoners Jefferson Davis and C. C. Clay, jr.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *March 28, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that the health of Jefferson Davis is better than at last report. He complains less of the fullness of head, and he has slept much better since the matting has been placed upon the floors surrounding his prison room, thus deadening the tramp of the sentinels. His appetite, too, seems to be improving somewhat.

C. C. Clay is decidedly improved since last report. His diarrhea has sufficiently diminished to warrant the statement that he has recovered from it. He is improving in strength and appetite, though he has some asthmatic symptoms, which are not, however, as severe as those he had prior to having received the parole of the fort.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., April 4, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward inclosed the report of the surgeon in reference to the health of the state prisoners J. Davis and C. C. Clay, jr.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

POST HOSPITAL, *Fort Monroe, Va., April 4, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be as on last report. The only complaint made by him is of muscular weakness and insomnolency.

C. C. Clay seems to be improving both in health and spirits. The parole of the fort has been of great benefit to his general health.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 4, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army:

SIR: I have the honor to transmit herewith the sum of $9.55 U. S. currency and $606.50 in rebel scrip, being uncalled-for moneys belonging to prisoners of war confined at Fort McHenry. An invoice of the funds showing the parties to whom it belongs is herewith inclosed.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 7, 1866—9.45 p. m.

Bvt. Maj. Gen. J. M. BRANNAN,
Commanding Department of Georgia, Augusta, Ga.:

The President directs that D. L. Yulee be relieved of so much of the parole given by him as restricts him to the limits of the State of Florida. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., April 9, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: On the 25th of January, current year, General Mulford delivered to me under orders the sum of $25,854.02, together with $5,847.75 in Northern State and Southern bank notes, belonging to men who had been prisoners of war in the South, from whom the money had been taken, and after the military operations of the war had closed had been recovered by him. He turned over a list of 324 applicants for portions of the money, which list has been somewhat increased by the names of a few applicants (thirty-seven in number) addressed to this office, so that the whole amount applied for is $34,381.11 and $568 in bank notes, character not stated, while the amount available for distribution is $25,854.02, together with $1,204.01 received from the sale of Northern State and Southern bank notes, and belonging to specified parties; also, $851.09 received from the sale of tobacco, uncalled-for property belonging to rebel prisoners. There is in the hands of the Adjutant-General about $8,000 unclaimed money belonging to rebel prisoners turned over to the Adjutant-General through this office, the greater portion of which will probably never be called for. There is no reason for expecting any further collections and no more applicants are likely to appear. Under these circumstances I request authority to distribute the money to the applicants upon satisfactory knowledge of their identity, at the rate claimed, on the correctness of the same being clearly shown, and, with a view to meet any deficiency that may possibly arise, authority may be granted to draw on the above-mentioned funds in the hands of the Adjutant-General to meet the same.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

WAR DEPARTMENT, *Washington City, April 10, 1866.*

JOHN A. PRENTICE, *Warden Ohio Penitentiary:*

The President, on consideration of an application on behalf of Milligan, Bowles, and Horsey for their release, has directed the remission of their sentence and that they be released from imprisonment. The Adjutant-General will transmit the official order by telegraph and mail, and you will discharge them from custody.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT,
Washington City, April 10, 1866—4.50 p. m.

JOHN A. PRENTICE, Esq.,
Warden Ohio Penitentiary, Columbus, Ohio:

Application has been made to the President for the release of William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, prisoners in your custody under sentence of a military commission. He directs that the further execution of their sentence be remitted and that they be forthwith discharged from custody. On receipt of this telegram you are directed to discharge them and report to this Department. A formal order will be transmitted by mail, but this telegram will serve as your warrant for their discharge.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 10, 1866.

WARDEN OF OHIO STATE PENITENTIARY,
Columbus, Ohio:

You will please discharge from custody William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, confined to the Columbus penitentiary for life, under orders of the President, dated May 30, 1865, the President having remitted further execution of the sentence.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

Please report receipt and execution of this order.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., April 11, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surgeon Cooper relative to the health of the state prisoners J. Davis and C. C. Clay, jr.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

[Inclosure.]

POST HOSPITAL, *Fort Monroe, Va., April 10, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: I would report that state prisoner Jefferson Davis is in his usual health. He complains of nothing save muscular weakness, nervous irritability, and partial insomnolency.

C. C. Clay, jr., is improving in health though he has had diarrhea for the last three days.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE OHIO PENITENTIARY,
Columbus, Ohio, April 12, 1866.

General E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

ASSISTANT ADJUTANT-GENERAL: I have the honor to acknowledge the receipt of your letter, dated War Department, Adjutant-General's Office, Washington, April 10, 1866, ordering the discharge from custody of William A. Bowles, Lambdin P. Milligan, and Stephen Horsey, confined to the Columbus penitentiary for life, &c., and to inform you that Lambdin P. Milligan was taken from my custody on a writ of habeas corpus at 3 o'clock p. m. Tuesday, April 10th, instant, and discharged; that at 5 o'clock p. m. of that day, upon the receipt of your order by telegraph to discharge said L. P. Milligan, William A. Bowles, and Stephen Horsey, Bowles and Horsey were also released from confinement.*

I am, general, very respectfully,

JOHN A. PRENTICE,
Warden.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 13, 1866.

Maj. Gen. P. H. SHERIDAN, U. S. Army,
Comdg. Military Division of the Gulf, New Orleans, La.:

SIR: The President of the United States directs that Dr. William M. Gwin, now confined at Fort Jackson, La., be released from custody on his giving his parole in writing to leave the United States and not to return without leave from the President. Report receipt and execution of this order.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

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* The case of *ex parte* Milligan and two similar cases (those of Bowles and Horsey) were taken to the Supreme Court of the United States upon a certificate of division from the judges of the circuit court for Indiana on a petition for discharge from unlawful imprisonment, and were decided April 3, 1866 (3 Wallace, 776). The opinion of the court was handed down December 17, 1866 (4 Wallace, 2).

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., April 15, 1866.

Hon. E. M. STANTON, *Secretary of War, Washington, D. C.:*

SIR: I respectfully call your attention to the case of Doctor Gwin, ex-Duke of Sonora, confined at Fort Jackson under directions from the President. The doctor is very old and his confinement is to some extent affecting his mind. I would respectfully suggest as the warm weather is now approaching that he be removed to some other place, or that he be put on parole within the limits of the city of New Orleans on condition that he abstain from all colonization schemes.

I am, sir, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General, U. S. Army, Commanding.

GENERAL COURT-MARTIAL ORDERS, No. 104.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, April 17, 1866.

Frank B. Gurley, citizen, sentenced by a military commission "to be hanged by the neck until he is dead, at such time and place as the general commanding may order, two-thirds of the members of the commission concurring in said sentence," as promulgated in General Court-Martial Orders, No. 505, War Department, Adjutant-General's Office, September 6, 1865, upon the recommendation of Lieutenant-General Grant, is hereby released from confinement and will be placed upon his parole as a prisoner of war duly exchanged.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

JUDICIARY COMMITTEE ROOM,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 17, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: By direction of the Committee on the Judiciary I have the honor to request you to furnish to the committee such evidence as may be in your Department touching the complicity of Jefferson Davis and Clement C. Clay in the plot which resulted in the assassination of President Lincoln and the attempted assassination of Hon. William H. Seward, Secretary of State; also copies of such reports of the Judge-Advocate-General concerning the said complicity of said parties as may be in your possession, and particularly those of December 6, 1865, and January 18, 1866, and such reports supplemental thereto as may have been made. If said reports are not now in your possession the committee request to be informed to whom the same have been transmitted and when it was done.

I have also to request you to furnish any other information touching the subject-matter of the inquiry pending before the committee as you may have, and which is not specially called for by this note.*

Yours, respectfully,

JAMES F. WILSON,
Chairman Committee on the Judiciary, House of Representatives.

*No reply of the Secretary of War is found; but see Holt to Stanton, July 3, 1866, p. 931, and report of the Committee on the Judiciary, published in Report No. 104, House of Representatives, Thirty-ninth Congress, first session. The papers called for are probably the reports of the Judge-Advocate-General of January 18, 1866, with inclosures, pp. 847–867, and of March 20, 1866, p. 890.

[Inclosure.]

Mr. Boutwell submitted the following preamble and resolutions and demanded the previous question:

Whereas, the President of the United States did, on the 3d [2d] of May, in the year 1865, by proclamation, declare and make known that it did then appear from evidence in the Bureau of Military Justice that the atrocious murder of the late President, Abraham Lincoln, and the attempted assassination of Hon. William H. Seward, Secretary of State, were incited, concerted, and procured by and between Jefferson Davis, late of Richmond, Va., and Jacob Thompson, Clement C. Clay, Beverly Tucker, George N. Sanders, William C. Cleary, and other rebels and traitors against the Government of the United States; and whereas, the said Jefferson Davis, in the same month of May, was arrested by the military forces of the United States and has since been held in the custody thereof under the authority of the President of the United States: Therefore,

Be it resolved, That the Committee on the Judiciary be instructed to inquire whether there is probable cause to believe that any of the persons named in said proclamation are guilty, as is in said proclamation alleged, and if so, whether any legislation is necessary in order to bring such persons to a speedy and impartial trial; and that said committee have power to send for persons and papers.

And be it further resolved, That said committee be in like manner empowered to inquire whether there is probable cause to believe that said persons, or any of them, are guilty of treason against the United States and whether any legislation is necessary in order to bring such persons to a speedy and impartial trial in the district where such crime may have been committed.

The previous question was seconded and the main question ordered; and under the operation thereof the preamble and resolutions were adopted.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 17, 1866—4.45 p. m.

Maj. Gen. N. A. MILES, *Commanding, &c., Fort Monroe, Va.:*

Clement C. Clay, jr., is hereby released from confinement and permitted to return to and remain in the State of Alabama and to visit such other places in the United States as his personal business may render absolutely necessary upon the following conditions, viz: That he takes the oath of allegiance to the United States and gives his parole of honor to conduct himself as a loyal citizen of the same, and to report himself in person at any time and place to answer any charges that may hereafter be preferred against him by the United States. Please report receipt and execution of this order.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

HEADQUARTERS DISTRICT OF FORT MONROE,
April 19, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Inclosed I have the honor to forward report of Surgeon Cooper in reference to the health of state prisoner Jefferson Davis.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

[Inclosure.]

POST HOSPITAL, *Fort Monroe, Va., April 18, 1866.*

Maj. Gen. N. A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be very much as on the last report. His appetite seems to be diminishing and he eats with less apparent relish. He complains, too, of muscular weakness. This may be attributable to the condition of the weather, which prevents him from taking outdoor exercise. State prisoner C. C. Clay is in good health.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., April 25, 1866.

The ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

GENERAL: I have the honor to acknowledge the receipt of a letter of instructions concerning Dr. William M. Gwin, now in confinement at Fort Jackson, and to state that I have sent an officer to obtain his decision upon the terms offered him, which I will transmit as soon as received.

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General, U. S. Army, Commanding.

MONTREAL, CANADA EAST, *April 25, 1866.*

President JOHNSON:

I hear my husband is failing rapidly. Can I come to him? Can you refuse me? Answer.

VARINA DAVIS.

[First indorsement.]

Referred to the honorable the Secretary of War for immediate consideration.

ANDREW JOHNSON.

[Second indorsement.]

Respectfully returned to the President with the following report:

The Secretary of War perceives no objection to the permission being granted Mrs. Davis to visit her husband at Fortress Monroe.

EDWIN M. STANTON.

[Third indorsement.]

APRIL 26, 1866.

Let the order be made under such restrictions as may be deemed proper.

ANDREW JOHNSON.

HEADQUARTERS DISTRICT OF FORT MONROE,
April 25, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward herewith the surgeon's report in reference to the health of state prisoner J. Davis. In seeing him every day I have been unable to discover the change.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

[Inclosure.]

FORT MONROE, VA., *April 25, 1866.*

Maj. Gen. N. A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

SIR: I would respectfully report that the general health of state prisoner Jefferson Davis is not as good as at my last report. His appetite is failing and his muscular strength is diminishing. He shows an incipient tottering in his gait. I would recommend increased exercise in the open air. This will in all probability reinvigorate him and give increased tone to his muscular movements.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 26, 1866.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Old Point Comfort, Va.:

SIR: The President directs that Mrs. Varina Davis be permitted to visit her husband, Jefferson Davis, now a prisoner at Fort Monroe under such restrictions as may be deemed proper. Mrs. Davis has offered to give such parole as may be required of her in consideration of the permission being given her. You will therefore require her parole in writing that she will engage in or assent to no measures which shall lead to any attempt to escape from confinement on the part of her husband, or to his being rescued or released from imprisonment without the sanction and order of the President of the United States. This parole being given you will permit Mrs. Davis to visit her husband as freely and as often as may be consistent with his safe-keeping, imposing only such restrictions upon him and upon her as may be requisite to that end. This order to continue so long as Mrs. Davis may desire to continue her visit or until you are otherwise directed.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 26, 1866.

Mrs. VARINA DAVIS, *Montreal, Canada East:*

The President has granted you permission to visit your husband. You will find the order and conditions to be observed on arriving at Fort Monroe. Please acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

MONTREAL, *April 26, 1866.*

His Excellency President JOHNSON:

Your permission received Please receive very sincere thanks.

VARINA DAVIS.

MONTREAL, *April 26, 1866.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

Your dispatch received. Have acknowledged its receipt to the President.

VARINA DAVIS.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 27, 1866—1.05 p. m.

Maj. Gen. H. W. HALLECK,
Comdg. Military Division of the Pacific, San Francisco, Cal.:

The unexecuted portion of the sentence in the case of Edward A. Swain, late of the rebel Navy, now in confinement at the State penitentiary, San Quentin, Cal., is hereby remitted and he will be released from confinement. Acknowledge receipt.

By order of the President of the United States:

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., April 28, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner J. Davis to be as well to-day as usual, and to acknowledge the receipt of your letter of the 26th instant in reference to Mrs. Davis visiting her husband, and inclosing copy of your telegram to Mrs. Davis.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., May 1, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.:

GENERAL: Referring to your letter of April 13, in relation to Dr. William M. Gwin a prisoner in confinement at Fort Jackson, I have the honor to report that his release was tendered to him on the conditions contained in that letter and that he declined to accept it on those conditions; that he also requested to be permitted to remain in his present place of confinement as long as he should be held in close custody.

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General, U. S. Army, Commanding.

WAR DEPARTMENT, *Washington City, May 2, 1866.*

Hon. S. COLFAX, *Speaker of the House of Representatives:*

SIR: In reply to the resolution of the House of Representatives of April 16, 1866, directing the Secretary of War to communicate the Judge-Advocate-General's report and other information respecting measures which have been taken to bring to punishment the murderers of certain Union soldiers belonging to the First and Second Regiments of North Carolina loyal infantry, alleged to have been tried and executed under orders of the rebel generals Pickett and Hoke, I have the honor to transmit herewith the Adjutant-General's letter of the 1st instant on the subject, covering and enumerating all the papers and correspondence on file in the Department.

Very respectfully, sir, your obedient servant,

E. M. STANTON,
Secretary of War.

[Inclosure.]

ADJUTANT-GENERAL'S OFFICE, *Washington, May 1, 1866.*

Hon. E. M. STANTON, *Secretary of War:*

SIR: In compliance with your orders I have the honor to submit copies of papers called for by resolution of the House of Representatives dated April 16, 1866, requesting "a report of the Judge-Advocate-General and such other information as may be of record or on file in his department on the subject, which will show what are the facts in the case and what steps have been taken to bring to justice and punishment the murderers of the following-named Union soldiers, belonging to the First and Second Regiments of North Carolina loyal infantry, alleged to have been tried and executed by orders of the rebel generals Pickett and Hoke, under the pretext of their being deserters from the Confederate service, viz: Jesse J. Summerlin, Hardy Dougherty, Stephen Jones, David Jones, William Haddock, John Freeman, Joseph Brock, Sergt. Joseph H. Fulcher, William D. Jones, Charles Cuthrell, [Elijah] Kellum, Mitchell Busick, Lewis Freeman, Joseph L. Haskett, William Irving, Amos Amyett, Stephen Jones, John J. Brock."

The papers herewith are:

1. Letter of Maj. Gen. B. F. Butler to General Grant, inclosing copy of correspondence between Maj. Gen. J. J. Peck, U. S. Volunteers, and the rebel General Pickett, concerning the execution, &c., of loyal North Carolina Union soldiers.*
2. Extracts from North Carolina rebel newspapers.†
3. Report of a board of inquiry, and report upon the alleged murder of a large number of U. S. soldiers by the rebels during the spring of 1864, convened at New Berne, N. C., October 19, 1865.†
4. Additional proceedings of same court.†
5. Proceedings of second board of inquiry in case of murder of Union soldiers at Kinston, N. C., in 1864.†
6. Report of Judge-Advocate-General of December 12, 1865, on memorial and other papers relating to the barbarous slaying upon the gallows of certain Union soldiers at Kinston, N. C.; papers hereunto appended.†

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*See Butler to Grant, April 14, 1864 (with inclosures), Series I, Vol. XXXIII, p. 865; Palmer to Pickett, February 9, 1864; Pickett to Palmer, February 17, 1864; Pickett to Cooper, February 26, 1864; Pickett to Peck, February 27, 1864; Pickett to Peck, March 15, 1864, and Pickett to Cooper, March 25, 1864, Vol. VI, this series, pp. 936, 964, 993, 994, 1095 (two), respectively.

†Published in Executive Document, No. 98, House of Representatives, Thirty-ninth Congress, first session, pp. 10–89.

7. Report of Judge-Advocate-General of December 30, 1865, to the Secretary of War on the same subject.*

8. Letter of Maj. Gen. J. J. Peck, U. S. Volunteers, of December 22, 1865, to Judge-Advocate-General.*

9. Letter of Judge-Advocate-General of December 30, 1865, to Secretary of War.*

10. Report of a board of inquiry convened at Raleigh, N. C., January 17, 1866, in relation to the murder of the U. S. soldiers by the rebels in March, April, and May, 1864.*

11. Abstract of testimony taken before the board of inquiry convened at Raleigh, N. C., January 17, 1866, in the matter of the murder of certain U. S. soldiers at Kinston, N. C., by the rebels in 1864.*

12. Letter of Maj. Gen. Thomas H. Ruger, stating that to enable him to complete the investigation ordered by the Secretary of War in relation to the murder of certain U. S. prisoners of war at Kinston, N. C., by Pickett and Hoke, he desires to be furnished with copies of certain proceedings of the rebel court-martial which tried said prisoners, with Dr. Francis Lieber's indorsement thereon stating that these proceedings are not among the records of the Archive Office.*

The papers submitted show that the investigation of this transaction has been continued, under the commanding general Department of North Carolina, from the 19th October, 1865, and was progressing until the receipt of the resolution of April 16, with the view of collecting the whole testimony in proper form for such action as the President might direct.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 3, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward inclosed report of surgeon concerning health of state prisoner J. Davis, and to say that Davis is allowed to walk two hours each day in the open air and if necessary he will be allowed more. Mrs. Davis came this morning on a visit to her husband. Inclosed I forward her parole of honor.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers, Commanding.

[Inclosure No. 1.]

FORT MONROE, VA., *May 3, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding Military District of Fort Monroe:

SIR: I would respectfully report that the health of state prisoner Jefferson Davis is not as good as at the last report. He was suffering on Monday from considerable derangement of the bowels with diarrhea. He was last night considerably better. He complains very much of muscular weakness and general debility. He requires more exercise in the open air.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

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*Published in Executive Document, No. 98, House of Representatives, Thirty-ninth Congress, first session, pp. 10-89.

[Inclosure No. 2.]

FORT MONROE, VA., *May 3, 1866.*

I, Varina Davis, wife of Jefferson Davis, for the privilege of being permitted to see my husband, do hereby give my parole of honor that I will engage in or assent to no measures which shall lead to any attempt to escape from confinement on the part of my husband or to his being rescued or released from imprisonment without the sanction and order of the President of the United States, nor will I be the means of conveying to my husband any deadly weapons of any kind.

VARINA DAVIS.

Witness:

J. A. FESSENDEN,
Second Lieutenant, Fifth Artillery.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 3, 1866—2.55 p. m.

Maj. Gen. H. W. HALLECK,
Commanding Division of the Pacific, San Francisco, Cal.:

The President of the United States directs the release of Thomas E. Hogg, Robert B. Lyon, John S. Hiddle, Joseph Higgin, and T. J. Grady, so-called San Salvador pirates, now confined in the California State prison. Report receipt and execution of this order.

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 7, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner J. Davis as being very comfortable to-day. He is better than he has been for several days past. He exercises three hours each day in the open air. His wife visits him every day and evening.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 7, 1866.

Maj. Gen. P. H. SHERIDAN,
Comdg. Military Division of the Gulf, New Orleans, La.:

SIR: On the 13th ultimo an order was sent for the release of Doctor Gwin on certain conditions therein expressed. The President now directs that he be released upon the parole usually required in such cases.

Please report receipt of this communication and execution of the order.

I am, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 8, 1866.

General T. T. ECKERT, *Acting Assistant Secretary of War:*

SIR: I have the honor to forward the inclosed notice and respectfully request that directions may be given for its publication in a few of the leading newspapers in the Northern States.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

[Indorsement.]

WAR DEPARTMENT, *May 9, 1866.*

Approved and referred to Mr. Oliver Gibbs, War Department, who is directed to furnish the list of papers to the Commissary-General of Prisoners.

By order of the Secretary of War:

THOS. T. ECKERT,
Acting Assistant Secretary of War.

[Inclosure.]

NOTICE.] OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 8, 1866.

A sufficient length of time having elapsed for the presentation of claims against the fund under the charge of this office (moneys recovered from the rebel authorities taken from U. S. soldiers while held as prisoners war), no claims presented after this date will be considered. A pro rata distribution of the fund will be made on the claims now on file in this office on satisfactory proof of the identity of the claimant and the authenticity of the claim being presented.

By order of Maj. Gen. E. A. Hitchcock, Commissary-General of Prisoners:

W. T. HARTZ,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 8, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis to be comfortable as usual to-day, except physical make-up. On recommendation of the surgeon that he should have additional exercise in the open air it has been granted him and it appears to be improving his strength. In asking him about his health every day his answers are, "As well as usual," "Very comfortable," or words to that effect.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

EXECUTIVE MANSION, *Washington, D. C., May 9, 1866.*

The SECRETARY OF WAR:

Will the Secretary of War please direct Surgeon Cooper to submit an early report respecting the health of Jefferson Davis, now in confinement at Fortress Monroe?

ANDREW JOHNSON.

[Indorsement.]

MAY 8 [9], 1866.

Referred to the Adjutant-General to direct the report to be made.

E. M. STANTON,
Secretary of War.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 9, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surgeon Cooper concerning the health of state prisoner Jefferson Davis. The sentinels are in the same position now that they have been for the past six months—that is, since Colonel Pelouze inspected the rooms. The floor is covered with matting between two and three inches thick. I will, if thought advisable, relieve the sentinel between Davis' room and the one occupied by the officer of the guard.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *May 9, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe:

SIR: The apparent health of state prisoner Jefferson Davis is not as good as at last report. He seems to be weaker after exercise than heretofore. I observe that his walk is growing less steady. He complains constantly of want of sleep, which he represents as being broken by the tramps of the sentinels and the noise made in their being relieved. He is nervous and very excitable, the passing of the sentinel by the doors and windows seeming to affect him. He is well fed but eats little.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 9, 1866.

Maj. Gen. N. A. MILES, *Commanding, &c., Fort Monroe, Va.:*

The President directs that Surgeon Cooper submit an early report respecting the health of Jefferson Davis. Let the report be addressed to the Adjutant-General. Acknowledge receipt.

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 10, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner J. Davis appears to be about the same as for the past few days. He takes three hours' exercise about the ramparts besides what he takes in his room. Since his wife has been here he seems to be in better spirits.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General of Volunteers.

FORT MONROE, VA., *May 10, 1866.*

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

SIR: Inclosed I transmit special report of the health of state prisoner Jefferson Davis, made in compliance with telegraphic instructions from the Adjutant-General's Office.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

[Inclosure.]

FORT MONROE, VA., *May 9, 1866.*

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

SIR: In compliance with directions from the President of the United States to me, given through the office of the Adjutant-General, I have made a special examination of state prisoner Jefferson Davis, now in confinement at this post, and report the following to be the result of said examination:

He is considerably emaciated, the fatty tissue having almost disappeared leaving his skin much shriveled. His muscles are small, flaccid, and very soft, and he has but little muscular strength. He is quite weak and debilitated, consequently his gait is becoming uneven and irregular. His digestive organs at present are in comparatively good condition but become quickly deranged under anything but the most carefully prepared food. With a diet disagreeing with him dyspeptic symptoms promptly make their appearance, soon followed by vertigo, severe facial and cranial neuralgia, an erysipelatous inflammation of the posterior scalp and right side of nose, which quickly affects the right eye (the only sound one he now has) and extends through the nasal duct into the interior nose. His nervous system is greatly deranged, being much prostrated and excessively irritable. Slight noises, which are scarcely perceptible to a man in robust health cause him much pain, the description of the sensation being as of one flayed and having every sentient nerve exposed to the waves of sound. Want of sleep has been a great and almost the principal cause of his nervous excitability. This has been produced by the tramp of the creaking boots of the sentinels on post round the prison room and the relieval of the guard at the expiration of every two hours which almost invariably wakens him.

Prisoner Davis states that he has scarcely enjoyed over two hours of sleep unbroken at one time since his confinement. Means have been taken by placing matting on the floors for the sentinels to walk on to alleviate this source of disturbance, but with only partial success. His vital condition is low and he has but little recuperative force. Should he be attacked by any of the severe forms of disease to which the tidewater region of Virginia is subject, I, with reason, fear for the result.

A copy of this report I have furnished to the headquarters of the Military District of Fort Monroe, in compliance with orders from the major-general commanding.*

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

* In the handwriting of General Townsend a copy of this paper is indorsed, as follows: "Original of report left with President May 12, 1866."

ADJUTANT-GENERAL'S OFFICE, *Washington, May 10, 1866.*

SURGEON-GENERAL U. S. ARMY:

SIR: The Secretary of War directs that I inclose to you a copy of the report of Surg. George E. Cooper, dated the 9th instant, relative to the health of Jefferson Davis.*

I am, &c.,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 16, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose report of Surgeon Cooper concerning health of state prisoner Jefferson Davis.† I would earnestly request that as Mrs. Davis is here and there seems to be a decided effort being made by his friends to create sympathy for him and circulating erroneous reports regarding his treatment and condition, which are alike discreditable to the Government and myself, I may be allowed to admit reliable representatives of the press inside the fort that they may give to the country the true facts in the case as they are, and I feel confident that there will be no reason for complaint either regarding his condition or treatment.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HEADQUARTERS MILITARY DIVISION OF THE GULF,
New Orleans, La., May 16, 1866.

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

GENERAL: Referring to your letter of the 7th instant directing the release of Doctor Gwin "upon the parole usually required in such cases," I have the honor to report that he has given his parole and has been released.

Very respectfully, your obedient servant,

P. H. SHERIDAN,
Major-General, U. S. Army, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 17, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report that prisoner Jefferson Davis is somewhat indisposed to-day; complains of headache caused by the change of weather. With this exception he seems very comfortable.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

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* Next, *ante.*

† Not found as an inclosure. It may have been a copy of Cooper's report of May 9 (p. 908), or the usual weekly report.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
May 18, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report no change in the health of state prisoner Jefferson Davis since yesterday's report. Owing to the heavy rains he has taken but little exercise in the last two days.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
May 19, 1866.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

SIR: Your letter of the 16th instant has been submitted to the Secretary of War. In reply I have respectfully to inform you that the Secretary does not approve the permission being given to reporters of newspapers to pass within the fort for the purpose indicated.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 19, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report that state prisoner J. Davis complains to-day of suffering from neuralgia; otherwise he seems very comfortable.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

ATTORNEY-GENERAL'S OFFICE,
Washington, May 21, 1866.

The PRESIDENT:

SIR: Permit me to suggest that an order be made permitting Charles O'Conor and George Shea, esqs., the counsel of Jefferson Davis, to have access to and private interviews with him. I would also suggest that Mr. Davis be permitted the freedom of the grounds of the fortress during the daytime under his parole.

I have the honor to be, very respectfully, your obedient servant,

JAMES SPEED,
Attorney-General.

[First indorsement.]

MAY 22, 1866.

Approved and referred to the Secretary of War for the necessary orders to carry into effect the recommendations of the Attorney-General.

ANDREW JOHNSON.

[Second indorsement.]

MAY 23, 1866.

Referred to Adjutant-General Townsend to issue order directed by the President.

EDWIN M. STANTON,
Secretary of War.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 21, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In compliance with circular from the War Department of the 18th instant I have the honor to report that I have this day on deposit in my name in the National Bank of the Republic, Washington, D. C., the following public funds, viz:

Gold	$55.42
Silver	157.85
Currency	27,695.85

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 21, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report that state prisoner J. Davis seems to be in his usual health to-day.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 22, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner J. Davis appears to be as well as usual to-day.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, Va., May 22, 1866.

Bvt. Brig. Gen. S. F. BARSTOW,
Asst. Adjt. Gen., Hdqrs. Mil. Div. of the Atlantic, Philadelphia, Pa.:

GENERAL: Richard Turner, commonly called Dick Turner, was arrested by my predecessor in the command of this department, Major-General Ord, and confined in Libby Prison, where he still remains.

No charges against him were filed, and I know of no offense committed by him except that common rumor accuses him of the cruel treatment of our prisoners while he was a turnkey at the Libby.

It is asserted by him and his friends that he has been confounded with Maj. T. P. Turner, who was the commanding officer of the prison, and who was charged with cruelty to prisoners. They say that Dick Turner was a private soldier in the rebel Army detailed for duty in the prison and that he simply carried out such orders as he received. He has now been confined more than a twelvemonth, and if there be no charges against him in the office of the Judge-Advocate-General or if it is not the intention of the Government to put him on his trial I respectfully recommend that he be discharged.

I am, general, very respectfully, your obedient servant,

ALFRED H. TERRY,
Major-General, Commanding.

[First indorsement.]

JUNE 16, 1866.

Referred to the Judge-Advocate-General for report whether there is any ground for the further detention of the within-named Dick Turner.

E. M. STANTON,
Secretary of War.

[Second indorsement.]

BUREAU OF MILITARY JUSTICE, *June 16, 1866.*

Respectfully returned. This Bureau is in possession of no information justifying the further detention of Richard Turner or on which charges against him can now be preferred.

J. HOLT,
Judge-Advocate-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., May 23, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In the fund turned over to this office by General Mulford there is $55.42 in gold and $157.85 in silver. In the claims made to this office there are claims made for coin (gold and silver), in all amounting to $1,075.15.

In view of the small amount of coin received and the large claim against it, and with the desire to make the division of the fund as equitable as possible, I respectfully recommend that the coin be converted into currency at the market rates and the claims for coin be increased in amount to their equivalent value in currency, and the pro rata distribution from the fund be made on such claims at the currency value.

I am, sir, very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 23, 1866.

Maj. Gen. N. A. MILES, U. S. Volunteers,
Commanding, &c., Fort Monroe, Va.:

SIR: The President directs that Charles O'Conor and George Shea, esqs., the counsel of Jefferson Davis, be permitted to have access to

and private interviews with him. Also that Mr. Davis be permitted the freedom of the grounds of the fort during the daytime under his parole. Please acknowledge receipt of this order.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
May 23, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis' condition about the same as it has been for several days past, and inclose letter which he desires forwarded.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 23, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward inclosed report of Surgeon Cooper concerning health of state prisoner J. Davis.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *May 23, 1866.*

Maj. Gen. N. A. MILES,
Commanding Military District of Fort Monroe:

SIR: I report that state prisoner Jefferson Davis has been troubled since my last report with considerable neuralgic derangement of the head. Judging from its peculiarity of attack and somewhat of a periodicity I am of opinion that it is somewhat of a malarial origin. He gives indications of febrile action, though this is but slight. He has less muscular strength than heretofore and is evidently weaker. His appetite is poor, though his food is good. He sleeps better since the noise produced by the tramp of the sentinels has been diminished.

Respectfully,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 25, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of state prisoner Jefferson Davis remains the same as at last report, and to inclose his parole of honor. He desires it be extended so he may have the liberty of the fort at night as well as in the day.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Indorsement in handwriting of General E. D. Townsend.]

The President desires to see the Secretary of War on this subject before deciding it.

[Indorsement in pencil.]

No action.

[Inclosure.]

FORT MONROE, *May 25, 1866.*

For the privilege of being allowed the liberty of the grounds inside the walls of Fort Monroe between the hours of sunrise and sunset I, Jefferson Davis, do hereby give my parole of honor that I will make no attempt to nor take any advantage of any opportunity that may be offered to effect my escape therefrom.

JEFFERSON DAVIS.

Witness:
J. A. FESSENDEN,
First Lieutenant, Fifth Artillery.

HDQRS MILITARY DISTRICT OF FORT MONROE, VA.,
May 26, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Inclosed I send you several articles which have recently appeared in the daily papers. I do this to call attention of the honorable Secretary of War to the position the single report of Doctor Cooper places me in throughout the country. I have been advised by my friends to reply to these articles by a publication of my orders which I have strictly observed to the very letter in all that relates to Jefferson Davis and others. I have always acted in obedience to my orders, and every consideration which would promote the health and comfort of the prisoners has been given as far as my instructions would permit. I cannot see, neither can others who have been familiar with his daily walks, any material change in his appearance beyond what effect an imprisonment of a man of his antecedents might produce upon him. His fare has been as good and better than officers in the fort. His quarters have been second to none save the bars and bolts and such precautions as were necessary for his safe-keeping. It is true I have not made him my associate and confidant or toadied to his fancy. I have endeavored to do my duty and have acted in implicit obedience to my orders. The gross misrepresentations made by the press infringes severely upon my honor and humanity and I am unwilling to allow such statements to go unnoticed. At the same time I am averse to making any communication publicly without the permission of the Department. I am confident this is an effort of Mr. Davis' friends to influence public opinion preparatory to his trial. I object, however, to the means used and influence gained through such a medium, which imperils my humanity as a man and my honor and character as an officer. This is not forwarded as an official letter, but simply as a private matter with a view of being advised as to my proper course to take.

Requesting an early reply, I have the honor to remain, with the highest respect,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Indorsement.]

WAR DEPARTMENT, *June 8, 1866.*

Referred to Adjutant-General's files.

E. M. S.,
Secretary of War.

[Inclosure No. 1.—From New York World, May 24, 1866.]

The torture of Jefferson Davis.

It is no longer a matter of newspaper rumor that the treatment which Jefferson Davis has received during his incarceration in Fortress Monroe has been such as to break down his constitution and to put him, after twelve months of protracted suffering, in imminent peril of death. Upon the recommendation of the Secretary of the Treasury the President of the United States recently ordered the post surgeon at Fortress Monroe to make a careful and thorough report upon the condition of Mr. Davis' health. That report has been made and is now published. It cannot be read by any honorable and right-minded American, no matter what his sectional feelings or his political opinions may be, without a sickening sensation of shame for his country and a burning flush of indignation against the persons who have prostituted their official position to inflict upon the American name an ineffaceable brand of disgrace by the wanton and wicked torture of an invalid lying a helpless prisoner in the strongest fortress of the Union. The report of Post Surgeon Cooper is all the more damning that it is perfectly calm and formal in tone, and that it deals only with the strictly medical aspect of the investigation which its author was ordered to make. We hear nothing, for example, from Surgeon Cooper of the stories which have been repeated over and over again, in all varieties of tone, but with a singular consistency in the main details, by correspondence of all shades of opinion in regard to the petty insults heaped upon Jefferson Davis in the routine of his daily life. The refusal, by express military orders, of the common courtesies and simplest decencies of life to a man who for four years wielded the resources of eleven belligerent States against the whole power of the Union, while it would be unspeakably disgraceful to the authorities perpetrating it, might be of very little consequence either to the health or the spirits of the captive at whom it was aimed. A man of strong and self-sustained character might be annoyed, indeed, at finding himself in the hands of persecutors so paltry, but they would scarcely be able to disturb his digestion or his sleep. The American people, should these stories prove to be true, will have a serious account to settle with the functionaries who could thus misrepresent and belittle them in the eyes of Christendom and of history. But the crying result of Surgeon Cooper's report, the result which demands the most prompt and emphatic expression possible of the popular indignation, if we are not to be written down all of us as accomplices in the vile transactions which it reveals, is this, that the health of Jefferson Davis, which was notoriously poor at the time of his capture, has been systematically broken down by a cruel and deliberate perseverance in applying to him one of the worst tortures known to humanity. Here are the fatal words in which the truth is told. After describing the general prostration of the prisoner's physique Surgeon Cooper says:

Slight noises which are scarcely perceptible to a man in robust health cause him much pain, the description of the sensation being as of one flayed and having every sentient nerve exposed to the waves of sound. Want of sleep has been a great and

almost the principal cause of his nervous excitability. This has been produced by the tramp of the creaking boots of the sentinels on post round the prison room and the relieval of the guard at the expiration of every two hours, which almost invariably wakens him. Prisoner Davis states that he has scarcely enjoyed over two hours of sleep unbroken at one time since his confinement. Means have been taken by placing matting on the floors for the sentinels to walk on to alleviate this source of disturbance, but with only partial success. His vital condition is low and he has but little recuperative force. Should he be attacked by any of the severe forms of disease to which the tide-water region of Virginia is subject, I, with reason, fear for the result.

In a very minute and horrible treatise on the tortures practiced by the Inquisition an Italian writer tells us that a certain grand inquisitor at Rome, famous for his skill at jangling God's work in the human body, pronounced this special form of torment—the torment by insomnia—to be "the most exquisite and victorious of all he had ever essayed." No picture in all that dread gallery of imperial madness and misery which Suetonius has bequeathed to us is so fearful as his portraiture of Caligula roaming through the vast halls of the palace of the Cæsars night after night with bloodshot eyes, sleepless, and driven on by sleeplessness to insanity. And in what a light are we, this triumphant American people of the nineteenth century, to appear before posterity weighted with the damning image of our most conspicuous enemy thus tied by us to the stake and tortured by us with worse than Indian tortures unto death? We make and seek to make no party issues with any man or men on this matter. It is the honor, the humanity, the Christianity, the civilization of the American Republic which are here involved. Since the eloquent pen of Mr. Gladstone, near a score of years ago, concentrated the indignation of the civilized world upon the barbarous treatment inflicted by the Bourbon rulers of Naples upon Baron Poerio and his fellow captives, there has been no such revelation as this of the brutality to which men may be tempted by political passion, and it is intolerable that the scandals of Ischia and San Elmo should be paralleled in the sacred name of liberty within the walls of Fortress Monroe. We abstain purposely from discussing the nature and extent of the political offenses for which Jefferson Davis has thus been made to suffer, for we are unwilling to believe that any man can be found, even in the ranks of the most extreme of the Radical party, who would dare import such a discussion into the case. Thaddeus Stevens could shock the moral sense of mankind by demanding the "penitentiary of hell" for millions of his fellow-countrymen; but even Thaddeus Stevens, we prefer to think, would shrink from condensing that vast and inclusive anathema into the practical downright torture of a single human being. When Lafayette was suffering the extremes of cruelty in the Austrian dungeons of Olmutz, Edmund Burke, transported by a blind rage against the French Revolution, could respond to an appeal in behalf of the injured and high-souled victim by exclaiming in his place in Parliament: "I would not debase my humanity by supporting an application in behalf of such a horrid ruffian." But is it for a moment to be supposed that the most fanatical member of an American Congress, which assumes to itself a special philanthropy and sits in the year 1866, can be found to imitate the savage bigotry of an exasperated British royalist in the year 1794?

If the members of the Congressional majority at Washington are not weaker and more wicked men than the sternest of their political opponents would willingly believe them to be they will compel a prompt exposure of the authors of this shameful thing—a prompt exposure and a punishment as prompt. The President has done his duty in laying bare the facts, and will do his duty, we doubt not, in

arresting at once and summarily this continuous outrage upon the national character. But we live in an epoch of Congressional inquiries into national scandals and national rumors of all kinds, and the conscience of the country will hold the present Congress to a dread responsibility if it shirk or evade in any way a duty more important to our national honor than any which it has as yet assumed.

[Inclosure No. 2.—From New York News, May 24, 1866.]

Mr. Davis' condition.

The people of the United States—at least those of them who have hearts—will read with profound emotion the report which Doctor Cooper, the surgeon at Fortress Monroe, has made to the Adjutant-General of the U. S. Army. It has been frequently stated that Mr. Davis' health has been gradually declining under his prolonged imprisonment and the treatment to which he has been subjected. These statements have always been carefully contradicted by the Radical press, and sometimes upon such evidence as inspired a doubt of the truth of the charge. But the question is set at rest by the publication of Surgeon Cooper's official report. There is no room to doubt that Mr. Davis' health has been seriously impaired; nay, it is clear that his physical condition is such that his life hangs, as it were, by a thread. And it is not merely the deprivation of personal liberty that has caused this. The rigorous and wholly unnecessary measures resorted to to perfect his isolation and to cut off all possibility of escape—a thing which even the most rabid Radicals never suspected him of meditating—have been the main causes. Petty annoyances and irritations have had their share; and, despite the professional and official caution of Doctor Cooper, quite enough has been disclosed to justify the worst that has been said. We do not say that the President ought to be held responsible for the past, but we do know that he ought without further delay now that he has been officially informed of the condition of affairs to release "prisoner Davis" on his parole. Merciful and generous-minded men everywhere will applaud the act and history will justify it. The "shriveled skin" and "flaccid muscles" of the martyr of Fortress Monroe plead with irresistible eloquence in his behalf. Let us hope the plea will be heard.

[Inclosure No. 3.—From the Richmond Times, Thursday, May 24, 1866.]

We published on yesterday an official report of the condition of ex-President Davis' health, which will excite throughout Christendom a feeling of profound sympathy for the illustrious martyr and of burning indignation against those who are still clamorous not only for an indefinite prolongation of the terrible torture which he has so long endured, but also for his judicial murder. It is said when Doctor O'Meara's account of the slow torture inflicted upon Napoleon Bonaparte by the infamous Sir Hudson Lowe was first published that the English felt the national disgrace of Lowe's atrocities so keenly that English tourists were ashamed to visit France. The report of Doctor Cooper, for the same reason, might well arrest that swarm of Northern tourists who are now preparing for their usual summer trip to Europe.

Little more than thirteen months ago the writer of this article enjoyed frequent opportunities for ascertaining the physical condition of President Davis. For weeks before the evacuation of Richmond his general health was good, his form erect, and his step as elastic as that of a man in the prime of vigorous manhood. When arrested, torn from his family, imprisoned in a stone cell and temporarily fettered, his health

was as good as when he left Richmond. Now the strong man is tottering upon the verge of the grave; and the surgeon who has watched him day by day ascribes his terrible condition to the treatment which he has received. What a frightful picture of human suffering is that drawn by the surgeon at Fortress Monroe of Mr. Davis! What admirable effects have resulted from the "humane treatment" of General Miles! Outside of the "Chronicles of the Inquisition" there are very few reports like those of Doctor Cooper now extant. The medical men who used to attend in the hall of torture and feel the pulse, sponge the mouths, and report upon the condition of the mangled, lacerated men who were stretched upon the rack, used to make such reports very often. Hudson Lowe was sometimes the recipient of just such communications when the conqueror of Europe was dying in that felon's grasp. No man with a heart in his bosom can read the report of Doctor Cooper without bedimmed eye and breast swelling with pity and indignation. The iron has entered the soul of the illustrious statesman and pure noble-hearted Christian gentleman, whose offenses are no greater than those of the millions who sympathized with him. Thanks to the benevolent care of his jailor, for more than twelve months, the surgeon tells us "that Mr. Davis has scarcely enjoyed two hours unbroken sleep." One of the most terrible methods of torture known to the officials of the Holy Inquisition consisted in disturbing the slumbers of a prisoner every hour. The ceaseless tramp of his guards have "utterly deranged the nervous system" of the fearless soldier whose eye never quailed amid the din and roar of battle. "Want of sleep," says Doctor Cooper, "has been the great and the principal cause of Mr. Davis' nervous excitability." Miles' ever-moving sentinels have tramped to some purpose, as President Davis' condition is ascribed by Doctor Cooper to the "tramp of the creaking boots of the sentinels on post around his prison." To so frightful a condition of acute agony has this protracted torture reduced the victim that Doctor Cooper tells us that his "nervous condition is that of one who has been flayed and has every sensitive nerve exposed to the waves of sound." The blood runs cold at the bare thought of a fellow being reduced to such a condition by slow torture of the character mentioned by the surgeon in charge. But we have no heart to follow Doctor Cooper through all the sickening, shocking details of his report. Doctor Cooper evidently believes that President Davis cannot survive longer confinement; to keep him longer in prison will be equivalent to putting him to death. Such a report as that of Doctor Cooper would induce any judge in the United States to admit a prisoner to bail although charged with the vilest crimes. It is impossible that President Johnson can now sanction the imprisonment of Mr. Davis for another day without imperiling his own fair fame. The honor of the nation demands that the men who have tortured to the verge of the grave a noble and illustrious state prisoner shall not be permitted to escape punishment. Doctor Cooper's official report renders it necessary that the President should hunt down and punish the guilty parties in order that the Government may not be held responsible for their acts.

[Inclosure No. 4.]

Mrs. Jeff. Davis in Washington.

WASHINGTON, *May 24, 1866.*

The arrival in the city this morning of Mrs. Jefferson Davis has led to much speculation concerning the object of her visit. It is generally believed to be for the purpose of attaining some modification of the stringent orders in relation to her husband's confinement. The recently

published statement of Surgeon Cooper is supposed to be the foundation upon which she bases her application. As yet she has had no personal interviews with the President or any high officials. A significant fact bearing upon the question is that certain friends of Mr. Davis in Richmond applied to Surgeon Cooper within a week or two to ask his kindly intercession in presenting to Mr. Davis some articles of clothing and a few luxuries intended to ameliorate his prison life. Surgeon Cooper replied on the 20th instant, expressing his willingness to act as the almoner of Mr. Davis' Richmond friends, but stated if his confinement continued he would not long be in need of their charitable assistance. All accounts agree that his imprisonment is rapidly telling upon his general health.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
May 26, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of state prisoner Jefferson Davis without material change since last report. He is more cheerful and seems in much better spirits since his wife has been here and he has received his parole. He now walks around the fort at his leisure, taking about the same exercise as before.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

CONFIDENTIAL.] HDQRS. MIL. DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 28, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: In consequence of the sensation produced by Surgeon Cooper's report and the use made of it by the disloyal press I would respectfully suggest that a staff officer of the Department, who saw him last summer, see him now and report as to his condition compared with what it was when last seen, or that Surgeon Pineo, brevet lieutenant-colonel, who was last summer medical inspector, Department of Virginia, and who saw Davis at that time, be ordered to examine him and report. I regret to say that I think Surgeon Cooper is entirely under the influence of Mr. and Mrs. Davis, the former of whom has the happy faculty that a strong mind has over a weaker to mold it to agree with its views and opinions. Surgeon Cooper's wife is a secessionist and one of the F. F. V.'s of this State. He is exceedingly attentive to Mrs. Davis, escorting her to Norfolk and back, and yesterday he had a private interview with Davis and Messrs. O'Conor and Shea. To-day the four were together at the doctor's house. I believe more might have been said in his report. In my opinion there are other reasons than the "waves of sound" to make Mr. Davis nervous and excitable; for instance, his age and the diseases to which he has been subject in previous years. The disappointment of his hopes and ambitions must necessarily affect the nervous system of a man of his pride while a prisoner. Since Mrs. Davis' appearance at this place there has been a determined effort made that as he could not be a hero to make a martyr of him.

I am, general, with the highest respect, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
May 28, 1866.

Respectfully returned to the Secretary of War.

The within papers make application for the release of Richard Turner, now in confinement at Libby Prison, Richmond, Va., in which it is stated that he has been incarcerated for upward of a year without trial. This case has been only incidentally with others before this Bureau, in the report of P. Cashmyer on the condition of Southern prisons, in which Turner is mentioned as having been charged by Union prisoners with having used a great degree of severity and tyranny, and also with robbery, but neither specifications nor the names of witnesses are supplied. A report of this Bureau to the Secretary of War, under date of November 3, 1865, on this subject, in which Turner is named with others, recommended a reference to the local officers for an investigation, but nothing has been since heard regarding it nor is it known what action, if any, has been taken therein. If none has been taken the recommendation is renewed, and but little doubt is entertained, if proper vigilance is exercised by the military authorities at Richmond, that definite information in regard to the crimes of this man can be obtained.

J. HOLT,
Judge-Advocate-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., May 29, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner J. Davis appears as comfortable as usual, but since Mr. O'Conor's visit his mind appears to be very much absorbed and he appears less cheerful. The inclosed letter from and copy of telegram to Surgeon Cooper is respectfully forwarded. As he showed me the telegram this morning, disclaiming any knowledge of the matter, I suggested that his proper course was to forward it to the War Department. The sender of the telegram was private secretary of Mr. Davis.

I am, general, very respectfully, your obedient servant,
NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *May 29, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe:

SIR: Inclosed I send you the copy of telegram received by me this morning at 9.30 a. m. The original I showed you some half hour since, immediately on its receipt.

I know not to what it refers or for what purpose written. The sender of the telegram I saw but once, to my knowledge, and then but for three or four minutes.

Your obedient servant,
GEO. E. COOPER,
Surgeon, U. S. Army.

[Sub-inclosure.]

MAY 29, 1866.

Surg. GEORGE E. COOPER, U. S. Army:

Everything promises well. I have seen Messrs. O'Conor and Shea.
BURTON N. HARRISON,
Eutaw House.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
May 30, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Most respectfully, your obedient,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *May 30, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding District of Fort Monroe:

SIR: I respectfully report that state prisoner Jefferson Davis is slowly improving. He sleeps better, relishes his food more, and has less tendency to head symptoms than before. Though quite weak, he states that he feels growing stronger gradually. The extended liberty granted him has most decidedly been of great benefit to him.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, JUDGE-ADVOCATE'S OFFICE,
Washington, D. C., June 2, 1866.

Report of Col. L. C. Turner, Judge-Advocate, to the Judiciary Committee of the House of Representatives, in the matter of witnesses who had sworn falsely in relation to the complicity of Jeff. Davis and others in the assassination of President Lincoln.

On Thursday night, April 26 last, by direction of Judge-Advocate-General Holt, I went to New York City to find and procure the attendance of eight persons as witnesses before the House Judiciary Committee. The names of said witnesses, as furnished me by General Holt, were Sanford Conover, William Campbell, Joseph Snevel, Farnum B. Wright, John H. Patten, Sarah Douglass, [John] McGill, and Miss [Mary] Knapp. The only information I had as to where said persons could be found was that General Holt informed me that Conover's address was at Station A, post-office, New York (but Governor Boutwell told me it was Station F); that Snevel's address was Station D, New York; that Campbell, Wright, and McGill were supposed to be in or about New York; Patten in Saint Louis; Mrs. Douglass and Miss Knapp in Canada. I was advised that Wright should be sent to find Patten and that Conover should find and procure the two women, and General Holt was to telegraph Snevel to [meet] me at the Astor House Friday a. m., and he gave me a letter to Conover asking him to aid me in procuring said witnesses, &c. On reaching the Astor House on Friday morning I wrote two notes to Conover, one directed to Station A, the other to Station F, asking him to call on me at once. Friday p. m. a card was left for me by Snevel, saying he would call next day and requesting that I would leave a note at the office stating my business, &c. Saturday Snevel called, said that he had not seen Conover in two or three days, that he was in Brooklyn, and when he last saw him he said he was about going to Washington and wished him (Snevel) to remain in New York and he would give him a good job on his return from Washington. Snevel also told me he had not seen Campbell for some days, but promised to find Conover and

Campbell and come with them to my room that evening (Saturday) or Sunday morning. As Snevel left I at once went to Marshal Murray's office to ascertain if I could get aid in finding the men, if needed, as I suspected that all was not right. The distance to the marshal's office from the Astor House is a walk of from three to five minutes. I did not find Marshal Murray, and returned to the Astor House, and when returning I met Snevel in the street. I spoke to him and he introduced me to Campbell, who was with him. They did not appear at their ease and seemed surprised at meeting me. They promised to find Conover and come with him to my room that evening or early Sunday morning. I then wrote two more notes to Conover at Stations A and F, saying I had a letter from Judge Holt to him asking his aid and assistance. No one appeared till Sunday afternoon and then Campbell called alone. I talked with him and asked questions and he was a good deal embarrassed. He finally asserted, "This is all false; I must make a clean breast of it; I can't stand it any longer." He then made a full disclosure, giving a history of himself, of Snevel and Conover, and others as far as he knew; the deceptions, fraud, and injury and perjury that had been practiced and perpetrated. Campbell informed me, and I afterward found it to be true, that Conover and himself saw the telegram sent Snevel by Judge Holt; that Conover received my notes, and that Conover dictated, wrote out, the note left by Snevel for me Friday: that Conover sent Snevel to my room, told him what to say, &c. I directed Campbell to say to Conover that I wished to have him go to Canada for witnesses, and that I had a letter for him from Judge Holt, &c., and that I wanted to send him at once. Conover finally called Monday noon. He was agitated, uneasy; said he was "busy and could not stop then." He left and promised to call next morning at 10 o'clock. He did not call till 3 p. m. I gave him the letter of Judge Holt. He said he would go to Canada for Mrs. Douglass and Miss Knapp; that they were at Lachine and that Wright was in Montreal; that he would find Wright and send him to Saint Louis for Patten, &c. He figured out the expenses of getting them to Washington at about $400. I told him I would telegraph to the Judiciary Committee for the money, and he was to call on me at 9 o'clock that evening. Previous to this I had ascertained unmistakably that the names of the eight witnesses were all fictitious, and that their names and residences were as follows:

Sanford Conover—his true name is Dunham; lawyer by profession; formerly lived at Croton, then in New York and Brooklyn; a very shrewd, bad, and dangerous man. William Campbell—his true name is Joseph A Hoare; a gas-fixer by trade; born in the State of New York and never south of Washington. Joseph Snevel—his true name is William H. Roberts, formerly ticket agent on Harlem Railroad, then kept tavern at Yonkers, &c.; was never South. Farnum B. Wright—true name John Waters; is lame in the knee, works in a brickyard near Cold Spring, on Long Island, &c. John H. Patten—true name, Peter Stevens; lives at Nyack, near Piermont, on the North River; is now a justice of the peace there. Sarah Douglass and Miss Knapp—the true name of one is Dunham, who is the wife of Conover; the name of the other is Mrs. Charles Smythe, is the sister or sister-in-law of Conover and lives at Cold Spring, Long Island; her husband is a clerk on Blackwell's Island. McGill—his name is Neally; he is a licensed peddler in New York and sometimes drives a one-horse cart.

Conover agreed to call at or before 9 o'clock Tuesday evening. He sent a card saying he had called and would call again Wednesday morning at 10 o'clock. Campbell, as agreed, left with me Thursday morning for Washington and I directed that if any one called for me

to say that I had gone to Boston for a few days. I returned to Washington with Campbell, and Conover was telegraphed by the Judiciary Committee to come on here. He sent Snevel to the Astor House and was told I had gone to Boston and he then left for Washington, expecting, I suppose, to be sent to Canada and get money. He called at committee room of the Judiciary Committee and there met Campbell unexpectedly. After this, as is known, the assistant sergeant-at-arms went with Conover to New York to subpœna certain witnesses. On reaching the Astor House Conover left the sergeant-at-arms and he has not seen him since. Then, May 15, instant, by direction of Judge Holt, I went to New York with Campbell and sergeant-at-arms to find and subpœna Snevel, McGill, Wright, and Patten. We found Snevel in the keeping of Conover, who was living in a tenement house up town. We found Wright (Waters) at Cold Spring; Patten (Esquire Stevens) at Nyack, and McGill (Neally) in New York, and they were all subpœnaed. Through the influence and efforts of Campbell (Hoare), mainly, Snevel was induced to call on me and made a full disclosure and agreed to go to Washington and before the Judiciary Committee. He did so, with Campbell, and made his verified statement. I state, in addition, that while Campbell was making his disclosure I asked him if it were true, as he asserted, that the depositions of himself, Snevel, and others, made before General Holt, were entirely false, how it happened that they gave such consistent, minute, and plausible statements? He replied: "The statements made by Snevel and myself were written out by Conover and we studied and rehearsed them at the National Hotel, in Washington, several days before making our depositions." He said he had original, as prepared for himself by Conover, in his possession and would give it to me. He did so and I herewith inclose it, marked as Exhibit A.* It is in Conover's handwriting. Campbell also informed me that Conover "planned that he (Campbell) should go to the Canadian border, at Rouse's Point or Saint Albans, on pretense that he could find an important witness named Lamar;" and Campbell was sent by General Holt by reason of their false representations. Campbell said he knew no such man as Lamar and that his mission to Saint Albans, Boston, and back to Washington was a fraudulent pretense devised by Conover to obtain money, &c. Campbell left Washington on this deceptive mission, leaving Conover in Washington; and when he reached New York he received a letter of instructions from Conover, which is herewith inclosed, marked Exhibit B.* My investigation and the disclosures made prove (undoubtingly in my mind) that the depositions made by Campbell, Snevel, Wright, Patten, Mrs Douglass, and others are false; that they are cunningly devised, diabolical fabrications of Conover, verified by his suborned and perjured accomplices.

L. C. TURNER,
Judge-Advocate.

EXECUTIVE MANSION, *Washington, D. C., June 5, 1866.*

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: The President directs me to request that you will cause to be prepared, for his information, statements showing—

First. The number of prisoners of war discharged since the 15th day of April, 1865; and

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*Not found.

Second. The number of persons who, having been sentenced by military commission or court-martial, have been pardoned since the 15th day of April, 1865.

I have the honor to be, very respectfully, your obedient servant,

WM. G. MOORE,
Assistant Adjutant-General.

SURGEON GENERAL'S OFFICE,
Washington, D. C., June 6, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have the honor to report that in compliance with your instructions I visited Fort Monroe, Va., June 5, 1866, and made personal inspection of the condition of the health of state prisoner Jefferson Davis.

Considering the age of the prisoner, his temperament, and all attendant circumstances, his present condition is remarkably good, and, although thin and gray, his carriage is erect, his voice strong, and his general appearance not more altered since I saw him several years ago than was to be reasonably expected from natural causes. Having the freedom of the fort from sunrise to sunset, he walks at will either upon the ramparts or parade ground, and to and from his meals, which are furnished by the surgeon of the post through Mrs. Davis, with whom he now takes them. The bill of fare furnished me by General Miles was for the first week in February, and includes beef, mutton, veal, ham, chickens, fish, oysters, eggs, butter, milk, wheat and corn bread, coffee, fruits, &c., in sufficient quantities and variety to constitute a most wholesome and nutritious diet. Since a change in posting sentinels the inconvenience and irritation produced by disturbed rest has been relieved and is less complained of.

Surgeon Cooper states that "Mr. Davis has improved in all respects at least 50 per cent. since his report of May 9, 1866," while General Miles considers his condition about the same; and that he takes less exercise since all restrictions upon it have been removed. The prisoner's own statement was distinctly to the effect that his health is and has been much better than has been represented, and he expressed great annoyance at the reports of his condition which had reached the public, acknowledging that if the sentinel could be removed from such close proximity to his sleeping room and the light at night dispensed with he would be quite as comfortable as it was possible for any one under duress to be.

At this season there is no malarious disease at Fort Monroe. The return of sick and wounded for the year ending April 30, 1866, gives a death rate of 1 to each 241 cases, including wounds and accidents, and the healthful climate of Old Point has made it for years a favorite resort. I do not consider him more liable to an attack of any of the severe forms of disease of the tide-water region than any other inmate of the fort, nor have I reason to suppose that such disease would be less amenable to treatment in his case than in others.

By extending the prisoner's parole from guard mounting to guard mounting instead of from sunrise to sunset, the objectionable sentinel and night lamp, the only present grounds of complaint would be removed.

Very respectfully, your obedient servant,

J. K. BARNES,
Surgeon-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
June 6, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORTRESS MONROE, VA., *June 6, 1866.*

Maj. Gen. NELSON A. MILES, U. S. Volunteers,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I respectfully report that the general health of state prisoner Jefferson Davis is slowly but decidedly improving. His appetite is becoming better and he relishes his food more than at any time since he has been under my charge. Though still quite weak he seems to be gaining muscular strength and he walks with less evidence of fatigue than heretofore. His nervous system, too, seems less irritable and he sleeps better, though he still complains of the tramp of the sentinels, but states they disturb him less than heretofore. His principal complaint is of the light burning in his room, which he states irritates his eye and prevents him from sleeping, as he otherwise would. The removal, as far as possible, of the disturbing cause of his sleep and the liberty of the fort during the day has been of great and decided benefit to him.

Your obedient servant,

GEO. E. COOPER.
Surgeon, U. S. Army.

WAR DEPARTMENT, *Washington City, June 6, 1866.*

Major-General MILES, U. S. Volunteers,
Commanding at Fort Monroe, Va.:

The Secretary of War instructs me to communicate to you the following Executive order:

EXECUTIVE MANSION, *Washington, D. C., June 6, 1866.*

The honorable the SECRETARY OF WAR:

SIR: The honorable the Attorney-General desires that the following-named gentlemen be permitted to visit Jefferson Davis as his counsel. Will the Secretary of War please direct General Miles to allow Thomas G. Pradt, James T. Brady, W. B. Reed, William George Brown, Edwin A. Vansicle, Thomas H. Edsall, and Burton N. Harrison to see Jefferson Davis in that capacity?

With great respect,

ANDREW JOHNSON,
President of the United States.

With directions that you permit the persons named therein to visit Jefferson Davis.

Very respectfully,

ED. SCHRIVER,
Inspector-General, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
June 7, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis as well as usual to-day. He is in good spirits and quite cheerful.

I respectfully request a copy of report made by Surgeon-General Barnes, U. S. Army, after his examination here on the 5th instant.

With the highest respect.

NELSON A. MILES.
Major-General, U. S. Volunteers.

GENERAL COURT-MARTIAL ORDERS, No. 153.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, *Washington, June 8, 1866.*

I. Before a military commission, which convened at Savannah, Ga., March 26, 1866, pursuant to Special Orders, No. 21, dated February 26, 1866, and No. 27, dated March 14, 1866, headquarters Department of Georgia, Augusta, Ga., and of which Bvt. Lieut. Col. H. A. Darling, U. S. Volunteers, is president, was arraigned and tried—

James W. Duncan, late of the C. S. Army.

CHARGE I: Murder, in violation of the laws of war.

Specification.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison, when a certain one of said prisoners who belonged to a Tennessee regiment in the U. S. military service, but whose name as well as the name or number of whose regiment is unknown, picked up when suffering from hunger a crust of bread which fell from a wagon containing loaves of bread for the rations of said prisoners, did willfully, feloniously, and with malice aforethought fiercely assault the said prisoner, and did knock him down, and after he was down did kick him several times upon his body with great violence, thereby inflicting upon him mortal injuries, by reason of which said kicking, violence, and injuries the said prisoner (whose name is unknown) in a few days thereafter, to wit, on or about the 13th day of June, 1864, at Andersonville aforesaid, did die. This at Andersonville, Ga., on or about the 10th day of June, 1864.

CHARGE II: Robbery, in violation of the laws of war.

Specification.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison, did, after having wrongfully, cruelly, and in violation of the laws of war, confine the body of a certain one of said prisoners named James Armstrong, a member of an Ohio volunteer regiment (the number or name of which is unknown), in certain stocks or instruments of punishment and torture at said prison known as the "spread-eagle stocks," did willfully, feloniously, and by force and violence, and in violation of the laws of war, seize and take away from the said Armstrong, while so confined, and from his body, and against the will of said Armstrong, certain personal property of said Armstrong, to wit, a sum of money in U. S. Treasury notes of the value of $8, and a likeness or picture of the mother or sister of said Armstrong, of the value of $1, and did retain and did not return the said property to said Armstrong, nor any part thereof. This at Andersonville, Ga., early in the month of October, 1864.

CHARGE III: Violation of the laws of war.

Specification 1.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison did wrongfully, and without just cause or provocation, and in violation of the laws of war, knock down and violently and cruelly kick one of said prisoners at said prison whose name is unknown, and when the said prisoner thereupon got up, did again violently knock him down, thereby inflicting serious hurt and injury upon him, and this, though said prisoner was an idiotic or half-witted person, and utterly inoffensive and helpless. This at Andersonville, Ga., on or about June 15, 1864.

Specification 2.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving in the commissary department of said prison, did wrongfully, cruelly, and in violation of the laws of war, place and confine in certain stocks or instruments of punishment and torture at said prison known as the "spread-eagle stocks," a certain one of said prisoners named James Armstrong, a member of an Ohio regiment in the U. S. service, and thereupon take away by force from said Armstrong, and against his will, certain property of said Armstrong, to wit, a sum of money amounting to about $8 in U. S. Treasury notes, and a likeness or picture of the mother or sister of said Armstrong, and did not return to him the said picture or money, or any part thereof, and this though he, the said Armstrong, earnestly pleaded with him, the said Duncan, to be allowed to retain the said picture. This at Andersonville, Ga., on or about the early part of the month of October, 1864.

Specification 3.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison, and having charge of the rations of said prisoners from the time they were delivered from the commissary of said prison to the time when they were issued to said prisoners, as well as charge of the cook-house of said prison, did wrongfully, and in violation of the laws of war, deprive said prisoners of vast amounts of said rations, to wit, very large quantities of bacon, beef, bread, meal, rice, peas, sirup, whisky, and other rations (some of which, especially the said whisky, were intended for the sick of said prison) by subsisting himself and his private mess upon the same, by selling and speculating in the same, by giving them away, by feeding them to his hogs, and by otherwise appropriating the same to his own private use and benefit; and, further, did even extract the grease from the rations of bacon furnished for said prisoners by boiling down and straining said bacon, and did appropriate the said grease, to the amount at least of twenty barrels, to his own use and benefit; by reason of all which said deprivation and appropriations of rations and supplies by him, the said Duncan, the rations actually issued to said prisoners were so diminished as often not to exceed one-half the amount actually furnished for them by the commissary of said prison, and this though the said prisoners were then and there, as he, the said Duncan, well knew, in a state of extreme suffering and wretchedness for the want of sufficient food and the necessaries of life, and were, most of them, in a starving condition. All this at Andersonville, Ga., at divers times continuously during the year 1864.

Specification 4.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison, did wrongfully, cruelly, and in violation of the laws of war habitually seize and confine in the stocks of said prison or otherwise restrain and punish, numbers of said prisoners, not only in the daytime but often in the night, and others of said prisoners did assault, strike, knock down, and otherwise grievously maltreat and abuse, and this merely in gratification of his personal resentments, or in order to intimidate and constrain the said prisoners so that he might the more easily rob or extort money or valuables from them or otherwise take advantage of them to his own profit, and this while he, the said Duncan, well knew that the said prisoners were in a poor, destitute, and helpless condition, as well as enfeebled by disease and by extreme want, privation, and suffering. All this at Andersonville, Ga., continuously during the year 1864.

Specification 5.—In this, that James W. Duncan, an employé of the rebel Government or military authorities in the rebel military service at the prison established and used by said Government or authorities for the confinement of Federal prisoners of war at Andersonville, Ga., and while serving as such in the commissary department of said prison, did wrongfully, cruelly, and in violation of the laws of war, habitually take into his possession the boxes and packages which were duly forwarded to said prison for said prisoners from their families and friends, and did open the same and take therefrom, without the consent of said prisoners, large quantities of the personal property of said prisoners, including clothing, cigars, coffee, sugar, cheese, and other supplies and provisions, and appropriate the same to his own use and benefit, and this though he, the said Duncan, well knew that said prisoners were then and there in a condition of extreme suffering for the want of clothing and the necessaries of life, and in immediate and constant need of the supplies and articles forwarded to and belonging to them, as aforesaid, and so seized and appropriated by him, the said Duncan. This at Andersonville, Ga., continuously during the year 1864.

To which charges and specifications the accused, James W. Duncan, late of the co-called C. S. Army, pleaded not guilty.

FINDINGS.

The commission, having maturely considered the evidence adduced, finds the accused, James W. Duncan, late of the so-called C. S. Army, as follows:

Charge I.

Of the specification, guilty, except the words "with malice aforethought."
Of the charge, not guilty, but "guilty of manslaughter, in violation of the laws of war.

Charge II.

Of the specification, not guilty.
Of the charge, not guilty.

Charge III.

Of the first specification, guilty.
Of the second specification, not guilty.
Of the third specification, not guilty.
Of the fourth specification, guilty, except the words "habitually seize and confine in the stocks at said prison or otherwise," and "not only in the daytime but often in the night;" and also the words, "and this merely in gratification of his personal resentments, or in order to intimidate and constrain the said prisoners so that he might the more easily rob or extort money or valuables from them or otherwise take advantage of them to his own profit."
Of the fifth specification, guilty, except the words "wrongfully, cruelly, and in violation of the laws of war;" "large;" also the word "clothing" (as first used); "cheese, and other supplies and provisions," inserting after the word coffee the word "and."
Of the charge, guilty.

SENTENCE.

And the commission does therefore sentence him, James W. Duncan, late of the so-called C. S. Army, to be confined at hard labor at such place as the commanding general may direct for the period of fifteen years.

II. The proceedings, findings, and sentence of the commission in the foregoing case of James W. Duncan, late of the so-called C. S. Army, were approved by the commanding general Department of Georgia and the record forwarded for the action of the [President of the] United States.

The proceedings, findings, and sentence are approved.

Fort Pulaski, Ga., is designated as the place of confinement to which the prisoner will be sent, in charge of a suitable guard, under the orders of the commanding general Department of the South, for the execution of his sentence.*

By order of the President of the United States:

W. A. NICHOLS,
Assistant Adjutant-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
June 8, 1866.

G. ST. LEGER GRENFEL, *Fort Jefferson, Fla.:*

SIR: Your application for remission of sentence, forwarded by General Hill to the Adjutant-General April 8, has been duly considered by the President in connection with the record of your trial, and I am instructed by him to inform you that it has been decided not to extend Executive clemency to your case.†

Very respectfully, your obedient servant,

J. HOLT,
Judge-Advocate-General.

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* It appears from the records of Fort Pulaski that Duncan escaped July 11, 1867.
† It appears from the records that Grenfel escaped from Fort Jefferson, Fla., March 7, 1868.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
June 13, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES.
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *June 13, 1866.*

Maj. Gen. NELSON A. MILES,
Commanding Military District of Fort Monroe:

SIR: I hereby report that state prisoner Jefferson Davis is slowly though decidedly improving in general health. He is still much debilitated and is wanting in muscular power, though I observe that his walk is becoming less uneven than heretofore. His appetite is not improving to any extent and his circulation is languid.

Your obedient servant,

GEO. E. COOPER.
Surgeon, U. S. Army.

WAR DEPARTMENT, *Washington City, June 15, 1866.*

The PRESIDENT OF THE UNITED STATES:

MR. PRESIDENT: In compliance with your instructions of the 5th instant I have the honor to make the following statements:

"The number of prisoners of war discharged since the 15th day of April, 1865," is 5,501 officers, 53,679 enlisted men, and 1,220 citizens, and "the number of persons who, having been sentenced by military commission or court-martial, have been pardoned since the 15th day of April, 1865," is 1,953.

Very respectfully, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, June 16, 1866.

Maj. Gen. A. H. TERRY,
Commanding Department of Virginia, Richmond, Va.:

SIR: The Secretary of War directs that you release Dick Turner, now confined in Libby Prison, Richmond, on his parole to answer any charge the President of the United States may direct to be preferred against him. Report the execution of this order.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., June 18, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis well as usual to-day. He desired me to renew his request to have his parole extended the twenty-four hours instead of twelve.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
June 20, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose herewith report of Surgeon Cooper regarding health of Jefferson Davis.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *June 20, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I respectfully report that the health of state prisoner Jefferson Davis is very much as at my last weekly report. He does not seem to improve in muscular strength in the same ratio as before. He states that his appetite is not good and that he does not relish his food. This may be attributable to some slight febrile symptoms which showed themselves on Saturday, Sunday, and Monday last. He becomes fatigued very soon when exercising, and is nauseated on breakfasting but recovers the tone of his stomach later in the day. He still complains of broken sleep and to this attributes his want of appetite in the morning.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, Va., June 21, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Asst. Adjt. Gen., War Dept., A. G. O., Washington, D. C.:

GENERAL: I have the honor to report that the instructions from the Secretary of War contained in your letter of the 16th instant ordering the release of Dick Turner from Libby Prison on his parole have been carried into effect. Turner was paroled and released on the 18th instant and his parole is on file at these headquarters.

I have the honor to remain, general, very respectfully, your obedient servant,

ALFRED H. TERRY,
Major-General, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
June 27, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward the report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *June 27, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I have to report the general health of state prisoner Jefferson Davis as improving slowly but surely. He gives indications of increasing muscular strength in his walk, which is now beginning to be more firm than heretofore. His appetite he states is better and he is evidently mending.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
July 3, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: Referring to the reports made to yourself by this Bureau in the case of Clement C. Clay on the 6th of December, 1865, in the case of Jefferson Davis on the 18th of January, 1866, and in the cases of the said Clay and Davis jointly on the 20th of March, 1866, I have the honor to submit for your consideration the following statements:

It will be remembered that on the trial of the assassins of the late President it was alleged in the charges and specifications that this crime had been committed under the incitement and encouragement of the said Jefferson Davis, Clement C. Clay, Jacob Thompson, and other conspirators named, as combining and confederating together for that purpose; and this declaration the court found to be true, and the opinion has been heretofore expressed by me that this finding was justified by the evidence adduced. Strong, however, as was the proof that led the court to the conclusion which they thus reached, I had reason to believe, from the knowledge of its details acquired in the course of the trial, that yet more conclusive testimony bearing upon the complicity of the rebel leaders, named in the murder of the President, existed, and hence as the head of the Bureau of Military Justice I felt it my duty to pursue the investigation further. The first opportunity enabling me to do so presented itself under the following circumstances:

Among the witnesses examined on behalf of the Government before the military commission which tried the assassins was a man calling himself Sanford Conover. Under this name he gave important testimony on that trial; testimony, however, I may remark, which did not bear on the question of the guilt of the parties on trial as actually concerned in the perpetration of the murder of the President and the attempted murder of the Secretary of State, but related only to the

general conspiracy charged to have been formed for the commission of these crimes and to which it was averred Jefferson Davis, Clement C. Clay, Jacob Thompson, and others were parties. This man, it seems, had been a correspondent of the New York Tribune from Canada, and it was through Mr. Gay, of the Tribune, a citizen of well-known character for loyalty and integrity, that he was brought to the notice of the Government as an important witness. After having heard the testimony on the trial of the assassins I was well persuaded, from his intelligence and apparently intimate association with rebel refugees and conspirators in Canada, that he had possessed unusual advantages for acquiring information in regard to their plots and movements. Hence, when he subsequently wrote me, voluntarily and without solicitation or suggestion on my part, giving assurance as to the existence of evidence implicating Jefferson Davis and Clement C. Clay, and of his ability to find the witnesses, and proffering his services to do so, I did not hesitate to accept his statements and proposals as made in good faith and entitled to credit and consideration. The first letter received by me from him on the subject bore date "New York, July 26, 1865," and is as follows:

Brigadier-General HOLT:

DEAR SIR: Believing that I can procure witnesses and documentary evidence sufficient to convict Jeff. Davis and C. C. Clay of complicity in the assassination of the President, and that I can also find and secure John H. Surratt, I beg leave to tender the Government through you my services for these purposes. Since my appearance as a witness before the commission I have been engaged, to some extent on my own account, in seeking further evidence to implicate Davis, Clay, and others, and I feel warranted in saying that my efforts have not been without some success. I can promise to find at least three witnesses—men of unimpeachable character—who will testify that they submitted to Davis propositions, which he approved, to destroy the President, Vice-President, and Cabinet, and that they received indirectly from the rebel Government money to enable them to execute the proposed scheme. Letters, I am assured by one of the parties referred to, can be adduced to corroborate a part of their statements. Two of these persons can testify that they were present with Surratt at an interview with Davis and Benjamin last spring, in which the plot under which Mr. Lincoln was assassinated was discussed and approved by both functionaries. These men may be relied on; as I have already said, their character is unimpeachable. They despise and hate Davis now as intensely as they once admired and loved him. Besides, they feel the necessity for doing some meritorious action to insure the forgiveness and pardon of the Government they have outraged.

The interest I have manifested in this case has been prompted solely by a desire to serve the Government, though I must admit that it has been intensified by my hatred of the rebel leaders. The rebellion has ruined me financially and I have suffered much at the hands of Davis & Co. It will be no fault of mine if they escape without their just deserts. You may depend that I can and will, if desirable to you and the Government, accomplish all I promise and more. If it is not intended to try Davis and others for complicity in the assassination I shall be glad to be sent after Surratt. I have ever believed that I could find him and I am confident that I can now devise a scheme for his capture. I do not enter into particulars because I know the value of your time too well to trouble you with a long letter. If the propositions I submit are entertained I will call on you and be more explicit. Please favor me with a reply at once, and in the meantime believe me to be,

Your most obedient servant,

SANFORD CONOVER.

Direct in care of S. H. Gay, Tribune.

On the 2d of August—written "1862," though evidently intended for 1865—he again addressed me from New York as follows:

NEW YORK, *August 2, 1862.*

Brigadier-General HOLT, *Judge-Advocate-General, Washington, D. C.:*

GENERAL: I proposed by letter a few days ago to find for the good of the Government and people John H. Surratt, one of the conspirators, and to produce unimpeachable evidence sufficient to convict Davis, Clay, and others of complicity in the assassination of Mr. Lincoln. I solicited, indeed expected, an early reply but was disappointed. Surratt has since been captured (so the papers say) so that of

course my services in that direction will not be required. Probably you have also sufficient evidence to convict Davis, Clay, *et al.*, without the testimony—I should say evidence—I proposed to adduce, the witnesses I proposed to produce, and the facts that you could educe under my suggestion from certain disloyalists. If it is all so I am glad. But will you not be kind enough on receipt hereof to inform me by telegraph, directed to Fifth Avenue Hotel, whether or [not] I can be of further service to the Government? If I cannot be of further service I propose to go to Mexico, and my last day, if you do not desire more of me, in New York will be next Friday or Saturday.

I hope I can be of further service. I more than hope that I shall hear from you (by telegraph) before Saturday. If I do not I shall assume that I can be of no further service and act accordingly.

Your obedient servant,

SANFORD CONOVER.

P. S.—This is the fourth letter that I have written you without having received a reply. I do sincerely hope that I may receive an answer to this, if not to those that preceded it.

Respectfully,

S. C.

It will be observed that the writer speaks of this as the "fourth letter." If other than this and the previous one of 26th of July were written they did not reach me.

I laid the substance of the assurances contained in these letters before you, and probably read extracts from the letters to you, and asked that I might be authorized to send for Conover to come to Washington with a view to a conference with him and to his employment as an agent of the Government in the collection of the testimony, should it be deemed advisable to do so, which authority you gave me. I accordingly wrote to him and he came on to Washington, and after an interview with me I recommended to you that his proposition should be accepted and that he should be engaged as a Government agent to find and collect the testimony of the existence of which he professed to have knowledge. To this you assented and he was accordingly so employed. He then went to New York, taking with him transportation from that city to Washington for a Mr. McGill whom he represented to be an important witness. On the 14th of August he telegraphed me from New York that he had found McGill and would start the night of that day for Washington, of which telegram the following is a copy:

Brigadier-General HOLT, *Judge-Advocate-General:*

I have found McGill and start to-night; failed to find him in time to leave last evening.

SANFORD CONOVER.

18 Claremont avenue, Brooklyn.

Subsequently Conover and the witness who called himself John McGill arrived in Washington, and on the 17th of August the latter, under that name, gave his deposition before this Bureau. The striking character of his evidence confirmed the impression previously entertained of the ability of Conover to find the witnesses of whom he claimed to have information. He proceeded South without delay, with authority from me to make diligent search for the witnesses and to report from time to time the progress he was making. His first communication to me bore date Richmond, Va., August 24, 1865, and is as follows:

RICHMOND, *August 24, 1865.*

JUDGE-ADVOCATE-GENERAL:

DEAR SIR: I have been in this city since Saturday, and although I have not succeeded in reaching any of the parties sought for I have received such information of the whereabouts of some of them as will enable me to find them. I shall not fail,

either in whole or in part, you may depend on this. I shall write you every day or two henceforth more at length, informing you of my proceedings, &c.

Respectfully, your obedient servant,

SANFORD CONOVER.

On arriving at Columbia, S. C., he telegraphed me under date of 1st of September, 1865, stating that his mission thus far had been successful and that Key and another had been found, and that a witness whom he refers to as C. (meaning Campbell) had been heard from. The following is a copy of the telegram:

Brigadier-General HOLT:

My mission has thus far proved successful. Key and one other have been found and secured. C. has been heard from and will be found. Deeming it unadvisable to telegraph particulars I have written at length.

S. C.

The next communication which reached me from him was a lengthy dispatch dated Charleston, 4th of September, 1865, in which he professed to give the details of the investigation with which he had been occupied and of the successes which had thus far attended him, which dispatch was in the following words:

Brigadier-General HOLT, *Judge-Advocate:*

I arrived here yesterday en route for New Orleans, where I am certain of finding C. Found K. at Norfolk and S. at Wilmington. They are both anxious to do what is right. K. wishes to wait and join S. and C. on their way to Washington. As he can be believed I thought better to consent. I have caused S. to accompany me, as his influence and example may prove valuable should C. feel any reluctance to do what is required of him; besides, I do not wish to lose sight of him; he is cognizant of all the facts disclosed to me by C. My funds will not hold out until I reach New Orleans. Owing to the destruction of railroads I have been obliged to travel several hundreds of miles in hacks at expense of 50 cents a mile, and at several points was unable to obtain transportation by there being no quartermaster at hand. At every hotel and lodging house south of Richmond have been obliged to pay nearly double Washington hotel rates. Telegraph me in care of Capt. J. H. Moore, assistant quartermaster, No. 10 Broad street, Charleston—he is also disbursing officer—whom you can direct to furnish [me] with the necessary funds to enable me to proceed at once with my business. There are other persons, as you will learn from my letter, whom it may be important to find when these named have been secured.

S. C.

A long letter dated also "Charleston, S. C., September 4, 1865," was afterward received by me from him, and in this was given a yet more minute detail of his researches and of the favorable results reached, and the purpose on his part was expressed of proceeding thence to New Orleans. The following is a copy of this letter:

CHARLESTON, S. C., *September 4, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

DEAR SIR: On the 1st instant, at Columbia, I prepared a letter for you detailing my proceedings to find and procure the attendance of Campbell, Key, and others, and on the same day telegraphed you that two of them had been found. On reaching the "post-office" with my letter I learned that there was no regular mail from Columbia, and that my letter might not be dispatched for ten or twelve days. The letter is now so worn out from being carried in my pocket from that point to this that I am under the necessity of writing a new one. I met with considerable difficulty in finding Key and Snevel and found it no easy matter to win their confidence and obtain their consent to become witnesses. I ascertained at Richmond that the former was at Norfolk, Va., and the latter at Wilmington, N. C., and that Campbell had gone to his former home, New Orleans. I resolved to endeavor to secure Key first and soon after reaching Norfolk found him. At first he denied all knowledge of any plots for the assassination of the President and his Cabinet, but when I disclosed to him the source of my information, charging him with such knowledge, and assured him that Campbell and others of his acquaintances were to be witnesses of the Government, he admitted his knowledge and stated the facts at large (which are substantially the same as stated to you as learned by me from Campbell), and consented to become a witness if Campbell could be induced to become one also.

He is unwilling to testify to what he knows unless Campbell and others will do likewise, as he fears and dreads being despised and called a traitor by his friends. He was not willing to accompany me to Washington or make a deposition until certain that Campbell—a model of all the virtues with him—would do the same. He promised to join me on my way North with Campbell and I am perfectly satisfied—indeed, I know, as far as it is possible for me to know anything—that he will do so.

You need not apprehend that he cannot be found when wanted. I have more reasons than I need trouble you with for knowing that he may be depended on.

On leaving Key I proceeded as directly as possible to Wilmington, where after much running and trouble I found Snevel. The latter is very bitter against Davis and his leaders and is exceedingly anxious to give his testimony and procure that of others to convict him. He (Snevel) has been ruined by casting his fortunes with the rebellion, and hopes, I imagine, to retrieve some of his losses by becoming a loyal citizen and a witness for the Government. He is very intimate with Campbell and boasts of much influence over him. As he appeared reluctant to go to Washington without others to corroborate his statements I proposed that he should accompany me to New Orleans for Campbell, not that I believe his influence will be necessary (although possibly it might) to induce Campbell to become a witness, but principally because I do not wish to lose sight of him. He is now without business and without money, and might in my absence accept an engagement which would carry him beyond our reach. He assures me that he knows of two other persons in Maryland who will make important witnesses. I trust that my proceedings in regard to him will meet your approbation. I have not been able so far to pick up anything more damaging to Clay. Indeed, I wish to get one case up first.

Owing to the destruction of many railroads in this part of the country I have been obliged to make roundabout courses and ride back and forth many miles in hacks. From Wilmington I started for New Orleans, intending to go via Florence, Kingsville, and Augusta, but on reaching Kingsville I was astonished to find that the cars proceeded no farther and that the remainder of the distance to Augusta would have to be traveled in hacks. Being near Columbia and anxious to visit some acquaintances in that city and believing I could do so without loss of time or extra expense I proceeded to that point, from which I telegraphed you, determined to make for New Orleans via Orangeburg and Charleston. Here I arrived yesterday evening. The whole distance from here to New Orleans can be traveled by rail, except about 50 miles which must be made in hacks. I propose to proceed thither the moment I hear from you and receive the necessary funds. Over some of the railroads I was obliged to pay fare, there being no quartermaster at hand to furnish me with transportation, and it being less expensive as well as saving time to pay fare rather than to wait the return of the quartermaster and pay board. Board and lodging at the South is at a very high figure, being charged for at rates far exceeding that of the Washington hotels. Travelers are outrageously imposed on at every step, the excuse for the extravagant charges being the scarcity of provisions, &c. For these reasons my fund is reduced to a few dollars and I shall require more before proceeding on my business. When I left Washington I had strong expectations of finding all the witnesses named at or near Richmond and believed that I had more money than sufficient to enable me to secure them; therefore I took the liberty of sending $50 of the amount received from you to my family, knowing that they would need some during my absence. I have economized as far as possible, and have kept a minute account of my expenditures which I am confident you will approve.

I have set my heart upon producing witnesses and testimony sufficient to convict Davis and Clay and with what I have already secured I am sure that I shall succeed. The statement that Snevel makes to me is even stronger than that made to me (and repeated to you) by Campbell, and there is not the slightest doubt of my securing the latter. I have telegraphed briefly the result of my proceedings and requesting the necessary funds, and shall be momentarily expecting the needful instructions, &c., to enable me to fully accomplish my undertaking.

In haste, very respectfully, your obedient servant,

SANFORD CONOVER.

From Charleston, S. C., on the 6th of September, 1865, he sent me the following telegram:

Brigadier-General HOLT, *Judge-Advocate:*

Do answer my dispatch of the 4th instant. Has it been received? It is very important to the Government that I be instructed and enabled to proceed on my mission immediately. I hope to receive answer by or before evening.

Direct W. E. Harrison, Charleston Hotel, not being prudent to be known here under my own name.

SANFORD CONOVER.

He did not further correspond with me until after his return to New York, from which city on the 10th of October, 1865, he wrote me at length as follows:

NEW YORK, *October 10, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

SIR: It affords me pleasure to report that my efforts to find certain persons as witnesses for the Government have been crowned with complete success. Campbell and Snevel and a Mr. Waddell, of whom I knew nothing when I started on my mission, are now with me in this city. Key is in Norfolk, ready to join us at a moment's notice; while another person named Wright, also unknown to me when I left Washington, will report to me at Washington on the 20th instant. I experienced much difficulty in finding Campbell and more in inducing him to accompany me. He has no sympathy for Davis; on the contrary feels quite bitter against him; but he dreaded and still dreads the obloquy and alienation of his own friends, which he thinks the betrayal of Davis' part in the conspiracy certain to provoke. Having determined to take the stand he is anxious that his testimony be corroborated as far and by as many as possible and that everything proper may be done to insure Mr. Davis' conviction, because his acquittal, or even his conviction on the testimony of two or three witnesses, would afford his (Campbell's) friends and the public at large grounds for suspecting that he, with the other witnesses, had been suborned and had sworn falsely. So sensitive and anxious is he on this point that he insisted on at once visiting New York, where he assured me that he would find a friend who "could, if he would, furnish evidence of the most positive character," and that if this friend could be induced to become a witness he himself could do so without the slightest reluctance or fear of the result. For this reason I came on to New York with him, keeping the other witnesses with me for several reasons. Who this friend is, or the nature of the evidence he is able to furnish, Campbell declines to inform me, answering all my importunities with the assurance that if he cannot induce him to become a witness it would be useless for me to try to do so, and that he could not, without an unpardonable breach of faith, disclose anything which might possibly place his friend in an unpleasant position without his consent.

On inquiry here for this "friend" he was found to be in Canada, whence he will return on Saturday, and as Campbell is so persistent in the determination to see him before making his own deposition I think better to afford him the opportunity. I shall be prepared to as certain who the mysterious "friend" is in case he declines to join Campbell in becoming a witness for the Government.

The witnesses mentioned by me include all that I have so far obtained, but my investigations have led to the discovery of another plot, approved by Davis, for the murder of the late President quite as diabolical as the one which resulted in his death. The witnesses to establish this charge—one of whom is a Miss Alice Williams, who was commissioned in the rebel army as a lieutenant under the name of Buford, the would be Charlotte Corday, except that she proposed to employ poison instead of a dagger—being mostly females I thought better not to produce them without a conference on the subject with you. Besides, I have as many in hand as I can well manage. The particulars of this plot and the evidence to be relied on I shall not attempt to disclose till I see you. I shall leave here for Washington on Sunday evening with the three witnesses now in hand. Any instructions or suggestions you may desire in the mean time to address me by letter or telegraph may be sent to the Madison Avenue Hotel, corner Madison avenue and Twenty-seventh street.

Your obedient servant,

SANFORD CONOVER.

He did not come to Washington at the time promised in this letter, but did so later, arriving about the close of October and bringing with him two men calling themselves William Campbell and Joseph Snevel, and who under these names gave their depositions at the Bureau of Military Justice on the 4th day of November, 1865. On or soon after Conover's reaching Washington he addressed me a note bearing date November 1, 1865, as follows:

WASHINGTON, D. C., *November 1, 1865.*

Brigadier-General HOLT:

DEAR SIR: I reached here yesterday with Campbell and Snevel. Another witness who was to have joined us here is in Baltimore and I shall run up for him this morning. The above named prefer not to report to you in person without me but will appear at any hour you may name to-morrow. Please send me a note to the National Hotel, that I may receive it this evening, stating the hour upon which I shall produce the

witnesses for examination. The death of one of my children prevented my reaching here last week and the witnesses were unwilling to appear without me.

Your obedient servant,

S. CONOVER.

After the taking of the depositions of Campbell and Snevel Conover went to New York, whence he returned to Washington, bringing with him a man calling himself Farnum B. Wright, who on the 23d of November, 1865, also gave his deposition before the Bureau of Military Justice. The witness John McGill, heretofore referred to, having stated in his deposition that a man named Carter was present with him at the interview he had with Clement C. Clay and Captain Kennedy, in Canada, in relation to the assassination of the President and certain other distinguished officials of the United States Government I engaged Conover to proceed to Canada for the purpose of finding and bringing to Washington this man Carter with a view of taking his deposition, and he left Washington under a promise that he would do so. Farnum B. Wright having alleged to me that a man named Patten—whom he had averred in his deposition to have been present with him and others at an interview with Jefferson Davis when the abduction, and if necessary the assassination, of the President were discussed and determined upon—resided in Saint Louis, and that he believed he could find him and secure his attendance as a witness, I employed him as an agent of the Government to go to Saint Louis for that purpose. This I did after a conversation with him in Washington, and after receiving from him the following note:

NEW YORK, *December 7.*

General HOLT:

DEAR SIR: I arrived in New York this morning. I overhauled my papers; could not find the paper that contained the number of the house Mr. Patten lives in, but I am quite sure I can find him as I know the street. If you want me to go after him I am at your service. Send me what funds you think I will require and I will start immediately. Direct your letter to the Westchester House, corner Bowery and Broome street, to be left at the office till called for.

P. S.—If you don't require my services to go to Saint Louis please send some money without fail, and oblige

F. B. WRIGHT.

Among the persons named as present at the interview which Farnum B. Wright, Patten, and others were said to have had with Davis was a man called Lamar. This person, William Campbell, whose deposition has been referred to, stated he knew that he was in Canada and that he believed he could prevail on him to come to the United States and give his testimony and he offered to go to Canada for that purpose. I accordingly engaged him. He set out, and after the lapse of some time wrote me from Saint Albans the following letters:

SAINT ALBANS, *November 15, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

DEAR SIR: I hope you will excuse my long silence but I thought best not to write until I had something to write about. I have received no answer to either my letter or telegraph, but I saw a friend of Lamar's in Saint Albans last night who tells me that he (Lamar) was going to leave Canada soon; he could not tell how soon. He said he had left his old stopping place, and he thinks he is poor; and I think that accounts for my not getting an answer to my letter or dispatch. I fear that he has not received them. I propose to go (or send some one) to Canada to hunt him up. If this meets your approbation you will please telegraph me at once. I telegraphed to you this morning for the necessary funds to carry out my ideas, which I hope will prove satisfactory to you.

I shall anxiously await your answer, and hoping it will meet my ideas.

I remain, your most obedient servant,

WILLIAM CAMPBELL.

Weldon House, Saint Albans, Vt.

SAINT ALBANS, *November 24, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

DEAR SIR: I am in receipt of your letter of the 21st. You appear surprised at my inability to get my draft cashed; not more so than I was myself. The banks here evince no desire to accommodate the Government. At first they appeared to doubt my authority and when I satisfied them on that point they said they did not care to have anything to do with it; they did not see [that] they were going to make anything by it. The Saint Albans bank says they have money to the amount of $4,000 or $5,000 standing out in that way that they cannot collect and do not care to negotiate any more. The First National Bank referred me to the Saint Albans, as that bank had done a great deal of business with the Government, and they (the First National) felt themselves under no obligations to the Government or the War Department. Even your check I had to have signed by a resident of the place before I could get it cashed. Inclosed please find duplicate receipts signed. Since my last I have received a letter from Lamar appointing a meeting in Boston, where he is at present. I will start for there to-night or to-morrow morning.

Hoping my next will be more encouraging,

I remain, very respectfully, your most obedient servant,

WILLIAM CAMPBELL.

On his arrival at Boston he addressed me as follows:

HANCOCK HOUSE, *Boston, November 29, 1865.*

Judge-Advocate-General HOLT:

DEAR SIR: I have seen Lamar to-day. I think everything is all right. He will give me an answer to-morrow. We will start for New York about Saturday, where we will stop for a few days as Lamar wants to see some friends that are stopping there. I did not write to you on my arrival as I expected to see him sooner. I will have to draw on you again this week. You may expect to see us in Washington about the last of next week. Please telegraph on receipt of this as I shall start for New York on Saturday.

Very respectfully, your most obedient servant,

WILLIAM CAMPBELL.

Subsequently I was assured that Lamar on his arrival at New York had declined to come to Washington to testify and had left the United States for Cuba. Still later I was advised that this statement was a misapprehension, superinduced by a false representation of Lamar's, and that he had, in point of fact, come to Washington but refused to give any testimony. I never saw him, and whether such a man existed I have no means of certainly determining.

On the 28th of November, Conover wrote me from New York as follows:

NEW YORK, *November 28, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

DEAR SIR: I did not until this morning succeed in seeing McGill and getting the necessary directions for finding Carter. I shall leave by the next train for Toronto. I shall not only find Carter but I think other witnesses as well. If Wright becomes able to leave for New York before my return to Washington I hope you will see that he is fully reimbursed for expenses, &c. His traveling expenses from Charleston to Washington, and afterward from Washington to New York to find me, were defrayed entirely by himself. But for appearing as a witness he would have sailed directly from Charleston to Halifax, Nova Scotia. If he comes to New York before I return to Washington Snevel will see him and make it agreeable for him to remain until he can be used as a witness. He has already satisfied me of his willingness to do so if his extra expenses can be paid by the Government. Presuming that I should return to Washington before he would be able to leave he made no arrangements about his hotel bill in case he should wish to leave before my return. I trust, therefore, that besides causing him to receive his traveling expenses [you will] see that he has enough to pay his bill at the hotel. I am confident that I shall be able to produce at least two other witnesses against Davis not less important than those you have seen, and I therefore feel the necessity of making everything as satisfactory as possible to those already in hand, that they may not at any time be found wanting.

In great haste, your obedient servant,

S. CONOVER.

His next communication was from Montreal under date of 8th of December, 1865, of which the following is a copy:

MONTREAL, *December 8, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

DEAR SIR: I have found Carter at last. My search for him in Toronto revealed the fact that he had changed his abode to Montreal. I doubted the propriety of my coming here, but knowing the importance of securing the party I determined to take the risk. I found Carter yesterday, made his acquaintance, &c., but only two hours ago did I disclose to him my mission and propose that he should accompany me to Washington, &c. He consents, and assures me that he knows of a score who will testify, if requested, to facts more important than any he can speak of. He agrees entirely with McGill except that he can go a little further. I think I can promise more than Carter; I shall see. The rebs know of my presence here. I am informed that I will be arrested again. "To be forewarned is to be forearmed," and I can reckon myself safe. I shall leave, if permitted, this evening for Toronto again, where Carter assures me there are a dozen who will become witnesses in the matter in question. I called on Mr. Perkins, an eminent lawyer, some months ago counsel for Hon. Joshua Giddings, consul-general here, in a prosecution against him, and have been fortified by a knowledge of my rights under the laws of the Province, and on the strength thereof think I may consider myself safe.

Respectfully, your obedient servant,

S. CONOVER.

Afterward Conover telegraphed me from Montreal as follows:

MONTREAL, *December 13, 1865.*

Brigadier-General HOLT, *Judge-Advocate-General:*

Have just returned from Quebec. Have three very important witnesses. Require more funds; send $100 by express in care of D. T. Irish. Shall return the moment I hear from you. Expect another witness here. Answer this dispatch care of Mr. Irish.

S. C.

On the 20th of December he wrote me at length from Montreal, professing to give much in detail the very important testimony he had discovered, the character of the inquiries which had led to its discovery, together with the names of the witnesses. This letter, which he stated he would send by the witness Carter, came to me through the mail, accompanied by a note from Carter dated New York, December 27, 1865, of which note and letter the following are copies:

NEW YORK, *December 27, 1865.*

SIR: I send you from here a letter given me for you by Mr. Conover. I expected to stop in this place only one day, but I want to see Mr. McGill before coming to Washington, and he is in Providence and will not get back till Saturday, and I will wait for him and come on next Tuesday. It may be necessary for you to have Mr. Conover's letter before I come, so I will send it to you by mail.

Yours, respectfully,

WM. H. CARTER.

MONTREAL, *December 20, 1865.*

DEAR SIR: Agreeably to my promise in my note of yesterday morning I proceed to report more at length my proceedings under my late missions. Other business prevented my writing last evening, and I shall not leave here for Toronto until this evening. You will receive this letter at the hands of Carter, whom I deem it advisable to forward from here at once, as he is anxious before making a deposition to see McGill and "compare notes," as he expresses it, in order that there may be no unnecessary discrepancy in their testimony. His statement does not differ in the least, if my memory serves me well, from McGill's deposition, except that he recollects one very important fact and occurrence which McGill must have forgotten or inadvertently omitted to disclose. Carter, who is quite intelligent, is confident that he can refresh the memory of his friend and make him recollect all that he does himself, and I think it very important that he should do so. The next witness I have in hand is named Mott. Like McGill and Carter he was seduced into hostility to the United States by extravagant promises by Clay and other prominent rebels. I cannot undertake to give you more than a brief synopsis of his statement. He knew Clay quite well; was several times present at his room when the subject of raids on the frontier was discussed, and had one private interview with Clay on the subject. This interview was just after the Saint Albans raid, and Clay, among other

things, expressed dissatisfaction that the raiders had not burned more houses and spilt more blood. He said that in such a war Yankees should be killed wherever found, whether they had arms in their hands or not.

In November, 1864, a few days after the election returns rendered it certain that Lincoln had been re-elected, he called on Mr. Clay with a letter (of which he has shown me the original draft) written by a Mr. Purcell, of Virginia, proposing by a "grand blow to relieve the country of the seven-headed hydra, Lincoln, Hamlin, Johnson, Stanton, Seward, Grant, and Sherman," if he (Clay) would furnish the necessary funds for the purpose. The letter contained the assurance that the men for the enterprise were already enlisted and promised that if Clay approved the proposition to lay before him in full the plan for its execution. Mott admits that at the time he intended to enter into the scheme with Purcell, but avers that he then believed it would be honorable warfare. The letter to Clay was dictated by himself and Purcell jointly, in his own room, but was, as the original is, in Purcell's handwriting. Clay on reading the letter inquired why Purcell did not call himself and remarked that he had been wishing for several days to see him, and added, laughingly, that he had begun to think he had gone over to the Yankees. Mott explained why Purcell did not call, whereupon Clay wrote a reply to the letter. Mott being interested in the affair the same as Purcell opened the reply as soon as he left Clay's presence. It assured Purcell that his patriotic purpose was heartily approved, and that if on a submission of his plan the scheme appeared practicable the necessary funds would be advanced, and that he (Purcell) would, if successful in destroying the great hydra, be honored as the Hercules of the age. The letter requested that Purcell would call and submit his plan as soon as possible, as the scheme had been proposed before and various plans for its execution had been suggested and were under consideration, and that he (Clay) intended to approve and adopt the one which should most clearly appear feasible. Two or three days later Purcell and Mott called on Clay and laid their plan before him, but after giving it consideration he declared that a plan had been proposed in his opinion more practicable than theirs, and that, while he was obliged to reject their plan, he desired them to unite with others in executing the one approved by him and he promised great honor and reward if they would do so. They proceeded far enough to become acquainted with the "more practicable" plan, which was finally abandoned.

In this condensed report of Mott's statement I have, of course, been obliged to omit most of the details and circumstances necessary to give full force, intelligence, and application to his representations, but I trust I have given enough to show that he will make a valuable witness. Mott is confident that Purcell is in Toronto and that he will readily give his testimony and produce Clay's letter to which I have referred. The next witness is a Mrs. Douglass, who for many months was intimately associated with leading rebels in Canada, and a friend and visitor to the Porterfields, Magruders, and others of their stamp. Her husband, who was devoted to the rebel cause, was sent by Clay on a mission to Richmond, and is believed to have been killed in his effort to get through the Union lines as he has never since been heard from. Mrs. Douglass, however, will not believe him dead, but thinks him in confinement in some Federal prison, and will give testimony only on condition that her husband, if in prison, shall be released. I am certain Douglass is not in prison, but I have not, under all the circumstances, seen fit so to assure Mrs. Douglass. Before being sent on his mission to Richmond, and about the middle of November, 1864, Douglass was engaged with Clay and others in a plot to assassinate the President and his Cabinet. The conspirators met two or three times at Douglass' residence, and the plans for the execution of their schemes were twice discussed in Mrs. Douglass' presence. There was considerable difference of opinion amongst the conspirators as to the best way to effect their purpose. Each appeared to have a plan of his own. Among other ways it was proposed to use air guns, and the power of an air gun was tested in Clay's presence in the rear yard of Douglass' residence. One evening Clay said that it was easy enough to put Lincoln and Grant out of the way, but that no plan would answer but one that would secure the destruction of Stanton, Seward, and Johnson at the same time—that a clean sweep should be made of it.

One afternoon Clay called at Douglass' residence alone. The latter was absent at the time, but as Mrs. Douglass was momentarily expecting him to return Clay concluded to wait a few minutes. The conversation soon turned upon the war, and Clay remarked that if they succeeded in cutting down the Yankee leaders, as he believed they would, the war would soon be over. Mrs. Douglass said to him that she was opposed to her husband engaging in such a project; that it looked too much like murder. Clay replied: "Nonsense, it is nothing like murder; we are at war with Lincoln and his crew, and in war everything is fair that will enable one to beat his enemy. Lincoln would hang your husband and me if he should get us in his power and I would like to know if it would be any worse for us to destroy him. Besides, self-preservation and the safety of the South demand Lincoln's death." He went on to say that Yankee emissaries had previously attempted to destroy President Davis and his whole family by arson, and that that fact would fully justify the

measures he proposed. Douglass afterward quarreled with Kennedy and withdrew from the enterprise, and was subsequently sent by Clay with dispatches to Richmond.

In the early part of December Mrs. Douglass visited Montreal and while there staid most of the time at Porterfield's and Magruder's, and just prior to Clay's departure from the Province, to wit, on the 8th day of December, had an interview with him in which the assassination plot was one of the subjects of conversation. To recount all, or even a tithe, of what was said on these various occasions would occupy more time and space than I have at my disposal; but I have given enough to show the great importance of this woman's testimony. Clay and Thompson both violated their promises to "provide handsomely" for Mrs. Douglass during her husband's absence, and in case of accident to him, and she is now obliged to teach music for the support of herself and children. Having been robbed of her husband and treated with neglect by these scoundrels she feels no reluctance in disclosing all she knows of their infernal machinations.

These witnesses are all of genteel appearance and give their statements with becoming frankness. I have been careful to select none but persons of unsullied reputation. The word "select" I use in its most comprehensive sense, for I have had nearly a score of persons from whom to choose. I have rejected all whose characters for veracity or general character could be assailed. Several have made statements to me which I believe, and have many reasons for believing, to be true, and which, if true, should consign Clay to the severest and most ignominious punishment known to the law; but on inquiring into their antecedents and present standing I have felt constrained to reject, saying to them that I might avail myself of their knowledge by and by. My mission has brought me in contact with four sorts of persons who could be used as witnesses: First, the kind I have engaged; secondly, persons undoubtedly possessed of much knowledge whose present characters and standing could probably be assailed to the destruction of their testimony; thirdly, persons in good standing who pretend to know much and are ready for a consideration to swear anything and everything, when in fact they know, as I satisfied myself, little or nothing; fourthly, persons who evidently possess considerable knowledge, and claim to have important letters and papers which they are unwilling to disclose except for a valuable consideration. Believing that I shall be able to obtain a sufficient number of witnesses of unquestionable integrity to establish Clay's criminality I have not felt at liberty to engage any persons who might possibly be impeached. Yet I am free to declare that of the persons I have rejected there are at least three whose statements under oath I would myself receive with as much confidence as I would the testimony of many of the members of the present Congress. They are, in common phrase, persons of doubtful character—that is to say, men who visit groggeries, brothels, and gambling hells, and do it so publicly that every one who will may know it, and point to them as "doubtful characters"—men who have been ruined by the war, who have been deluded and led away by Clay and his associates, and when of no further use abandoned, like worn-out horses, in Canada, to live by their wits or starve and die in the gutter, yet men who never have, so far as I could learn, robbed or stolen or swindled, and would not to save their lives. Men who, notwithstanding their iniquities, would not perjure their souls or sell their honor for a moderate sum, much less for a trip—a laborious journey—to Washington and back. I have rejected them only because I know there are plenty John Bull Canadians, enemies of the United States, who applauded these men while they were in the rebel service, who would, if they knew of their being witnesses for the United States Government against Clay, or other high rebel functionaries, come forward to impeach them and unhesitatingly swear to whatever might be necessary to do so. Still, I presume an equal, if not greater, number of equally respectable persons could be produced to sustain them. But in view of these facts I know not how to act in regard to them without further instructions.

I shall leave for Toronto this p. m., and from the representations of Mott and others have little doubt but that I shall find Purcell and be able to produce him and Clay's letter to which I have referred. I am also of the opinion that I shall find several other unexceptionable witnesses. I hope to receive a letter from you at Toronto giving me such further instructions as you may deem proper. Direct to G. W. Montague, Queen's Hotel, and if convenient seal with wax—black wax. My letters have become quite lengthy, but I need not assure you that I have written rather for your information than my own pleasure.

Respectfully, your obedient servant,

S. CONOVER.

On the 13th of January following Conover telegraphed me from Albany, N. Y., as follows:

General HOLT, *Judge-Advocate-General:*

I have just arrived here from Kingston, Canada, with four witnesses, and expect another from Montreal to join me here this afternoon. My funds are exhausted.

Please telegraph A. Van Allen, of First National Bank here, a request to cash a draft on you for $125, that I may leave here this evening. Will reach Washington on Monday.

S. CONOVER.

He afterward arrived in Washington, bringing with him two females calling themselves Sarah Douglass and Mary Knapp, whose depositions were taken at the Bureau of Military Justice on the 6th of February, 1866. A few days afterward Conover brought to this Bureau the witness W. H. Carter, the man in quest of whom he had gone to Canada. This person, under the name mentioned, gave his deposition on the 9th of February, 1866. Yet later Farnum B. Wright and Conover came to Washington, bringing with them a man calling himself John H. Patten, who under that name gave his deposition at this Bureau on the 24th of February, 1866. There was nothing in the previous history of Sanford Conover, as known to me, to excite any distrust, either in his integrity, in his truthfulness. or in the sincerity with which he had made his propositions to the Government, that led to his being employed as an agent for the collection of the testimony which was supposed to exist in reference to the assassination of the President. On the contrary, there was much in his intelligence which was marked and striking, and in his apparent frankness and his known connection with important sources of information, to inspire faith in his professions and promises. There was much also to inspire this faith in his correspondence with me, as already exhibited, while apparently engaged in the performance of the difficult and responsible duty imposed upon him. That correspondence was characterized by unusual intelligence, by great variety of detail, and by a naturalness which seemed to protect it from criticism; and my confidence in the testimony was strengthened by my knowledge that it was in accord with, and seemed to be in a large degree a natural sequence from, other facts which had been testified to as having occurred in Canada by witnesses known to the Government, and whose reputation has not been and cannot, it is believed, be successfully assailed.

Under the passage of the resolution of the House of Representatives, appointing a committee to investigate and ascertain what testimony existed in regard to the complicity of Davis in the assassination of the President, I appeared before this committee in obedience to its summons and gave my testimony and produced before it the depositions to which I have referred, together with the reports which I made, and which reports, with the opinions therein expressed upon the question involved, were based upon these depositions and upon the other proofs therein presented and commented on—upon which proofs these depositions were but cumulative, though strongly so. Decided, however, as was my confidence in the truthfulness of these depositions, I was not willing that the committee should accept my estimate of them or base any action of their own solely on that estimate. Hence, I urged—certainly the chairman, and, I think, another member of the committee—that I should be directed or requested to bring before them the more important of these witnesses produced by Conover, who were believed to be within the reach of the Government, in order that by their cross-examination, their bearing while testifying, and by such other tests as they might be subjected to, the committee should be enabled to determine for themselves what degree of credit their evidence was entitled to. In consequence of this suggestion of mine, and of its having been repeated and urged, I received the direction of the Hon. Mr. Wilson, chairman of the committee, to send for these witnesses, or the

more important of them. I accordingly sent to the city of New York Brevet Colonel Turner, judge-advocate, giving him, as I now remember it, the names of Campbell, Snevel, McGill, Wright, Patten, and Mrs. Douglass, these being the witnesses that I had reason to believe might be obtained within a reasonable time. It is barely possible that the name of Patten was not embraced in this list owing to my supposing him to reside in Saint Louis, but the most important of the witnesses were certainly included. Colonel Turner on proceeding to New York had an interview with Campbell, who has been repeatedly referred to by me, and in a conversation with Colonel Turner Campbell declared that the testimony which he had given in his deposition before the Bureau of Military Justice was false and that it had been fabricated by or under the supervision of Sanford Conover. This I learned from Colonel Turner, and I learned he made the same statement at the same time in regard to the testimony of Snevel, and expressed the opinion that the other witnesses who had been produced by Conover had also sworn falsely and under assumed names.

Colonel Turner brought Campbell on to Washington, and I then suggested that Mr. Wilson, chairman of the committee, should telegraph for Conover, in order that he and Campbell might be confronted in their examination, and opportunity thus afforded the committee of determining the question of credibility at issue. Conover accordingly came and went before the committee, and while undergoing examination there Campbell was introduced, and, having been sworn, he stated that his deposition given before the Bureau of Military Justice was false in all respects and was wholly and completely the fabrication of Conover; who, then being present, replied under oath that this declaration of Campbell was untrue, but declined to offer any explanation. After, however, Campbell had been withdrawn Conover suggested to the committee, as a reason why he (Campbell) had made his statement, that he had probably been corrupted and supposed he could make more by falsifying his former testimony than he could by sustaining it. I said to Conover immediately after his examination closed that I was utterly astounded at the evidence Campbell had given. His reply was, "You cannot be more so than I am." I then added, "You see the position in which you are placed. Now, if what is charged against you is false your only mode of vindication is to bring before the committee the witnesses whom you produced and whose depositions were taken before the Bureau of Military Justice, in order that they may be examined and reaffirm their testimony." He said he would proceed to New York with the officer of the committee and assist him in finding the witnesses, and would, as I understood him to say, return with them to Washington. He left, as I was told, with the officer of the committee, but on arriving at New York separated himself from him and was not seen by him afterward; and up to this time, although two months have elapsed, he has not communicated with me nor has he made any effort, as I believe, to produce the witnesses, nor has he offered any vindication of his conduct. This action of his, added to the declarations under oath of Campbell, followed up as they were afterward by the testimony of Snevel as to the utter falsity of the depositions which he and Campbell had given, has left a strong impression on my mind that Conover has been guilty of a most atrocious crime, committed under what promptings I am wholly unable to determine.

I employed him under no contract for any stipulated compensation. He had no reason from me to believe that he would receive more for

his labor in the event of his success than in the event of his failure to discover the testimony which he alleged existed; nor had he authority to give to the witnesses any other assurance than that they should not be personally compromised for speaking the truth. He only had reason to believe, and was so assured, that all expenses would be paid and that a fair compensation for the services performed—both in view of their importance and of the extreme danger to which it was supposed they might expose him—would be made, but nothing beyond this.

Although but two of the witnesses, to wit, William Campbell and Joseph Snevel, have been found and produced, and have declared the falsity of their depositions, yet, considering the conduct of this agent of the Government as exposed and explained, it is believed that the same discredit which seems to attach to these two depositions of Campbell and Snevel should attach to all the testimony given by the witnesses brought to the Bureau of Military Justice for examination by Conover. Both Campbell and Snevel were subjected to a rigid cross-examination by the committee in reference to their past lives, the places of their residence and business, the names of their employers, &c., extending through a series of years, the purpose being, through an inquiry into the particulars furnished by their answers, to test the accuracy of their statements upon these collateral matters, and thus arrive at a proper estimate of their general credibility.

The narrative thus given by Campbell of his past life has, I learn informally from a member of the committee, been found to be false in many particulars. It is not known that the sketch given by Snevel of his life has as yet been submitted to the same test. While this investigation in which the committee is engaged may result in impairing, or even destroying, the general credibility of these witnesses I deem it my duty with the convictions I entertain—produced in large degree by the conduct of Conover—formally to withdraw these depositions for the present from the consideration of the Government; and should nothing hereafter occur to remove these convictions the depositions, with your consent, will be wholly rejected.

The witnesses whose depositions under this view are withdrawn are the following: John McGill, William Campbell, Joseph Snevel, Farnum B. Wright, Sarah Douglass, Mary Knapp, W. H. Carter, and John H. Patten. Of these witnesses McGill was mentioned by name in the report of the Bureau to yourself under date of the 6th of December, 1865, while John H. Patten, W. H. Carter, Sarah Douglass, and Mary Knapp were referred to by name, and their testimony commented upon in the supplementary report to yourself under date of March 25, 1866. In the report to yourself of January 18, 1866, the names of Farnum B. Wright, William Campbell, and Joseph Snevel were not given because it was supposed that the report might be sent to Congress and in the then condition of the investigation it was not deemed advisable to make the names of these witnesses public. Their testimony, however, was given at length, with the date of their depositions, with the fact that they had been taken before this Bureau. The recognition, therefore, of the testimony assailed and now withdrawn will be certain and easy on examining these several reports, a careful study of which, excluding from consideration this rejected evidence, will serve to show how strongly and impressively the findings of the military commission against Davis, Clay, and others are supported by other oral and written proofs which, though denounced by traitors and those sympathizing with the rebellion, have not been sufficiently contradicted.

It is proper to remark that no discredit has attached to the numerous depositions and affidavits taken before this Bureau and elsewhere for

the purpose of proving the presence of C. C. Clay in Canada for months preceding and up to, probably, a few days after the assassination of the President. With these depositions and affidavits Conover had no connection whatever, and the confidence originally entertained in their truthfulness remains unshaken. The history of Sanford Conover's agency and its results has been given thus circumstantially in order that you may discard the testimony produced by him from consideration, and also in order that you may understand under what constant encouragements and apparently trustworthy assurances the inquiry committed to his hands was continued on my part. These explanations have been made by me as a witness before the Committee on the Judiciary substantially as presented in this report, and in large degree in the same language herein employed.*

All of which is respectfully submitted.

J. HOLT,
Judge-Advocate-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
July 5, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *July 4, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I hereby report the health of state prisoner Jefferson Davis to be not as good as at my report of the 27th ultimo. For the last three or four days he has given indications of febrile excitement. His appetite is gradually leaving him and the amount he now eats is scarcely sufficient to sustain his system in a normal condition. He still complains of broken slumbers, stating that the hailing of the sentinels breaks his rest and that it is almost impossible for him to sleep when his rest has once been disturbed. To this circumstance of broken slumber he attributes his want of recuperation. His general health is not improving as I would wish to see it, and as it was for a time after his receipt of the parole of the fort during the day.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE.
Fort Monroe, Va., July 10 [11], 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surg. George E. Cooper regarding health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

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*For report of the Committee on the Judiciary on this subject, see Report No. 104, House of Representatives, Thirty-ninth Congress, First session.

[Inclosure.]

FORT MONROE, VA., *July 11, 1866.*

Maj. Gen. NELSON A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I have to report the health of state prisoner Jefferson Davis as being somewhat less favorable than at my report of the 4th instant. He has had during the week past some slight febrile attacks, which, though but light, debilitate him. He is weaker than he was and walks less firmly. He states that his respiration is better during his walks than it was. His appetite does not improve and he eats but little. He still complains of inability to sleep. The slightest noise, he states, wakens him and he is then unable to sleep for a considerable length of time.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 12, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report no change in the health of state prisoner Jefferson Davis since yesterday's report.

I leave this evening for Massachusetts on ten days' leave. Bvt. Brig. Gen. H. S. Burton, colonel Fifth U. S. Artillery, will be in command during my absence.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., July 18, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: In answer to the resolution of the House of Representatives of the 12th instant calling for a report of the number of deaths among Union soldiers while in Southern prisons, and also the deaths among rebel soldiers while held as prisoners of war, I have the honor to state that from the records of this office it appears that 26,436 deaths have been reported among the rebel prisoners of war, and 22,576 Union soldiers are reported as having died in Southern prisons. These numbers should be seen in comparison with the number of prisoners respectively held North and South, to wit: In the North there were about 220,000, while in the South there were a little more than half the number, to wit, about 126,952, as per reports received. It should also be noticed that while we have accurate reports of the deaths which occurred among rebel prisoners in the North, the reports from Southern prisons were exceedingly irregular, as appears by the report of the Christian Commission, showing that there were 676 Union soldiers died of which no report was made to this office. Add to which no reports of deaths were made from localities in the South, as Florence, S. C., and other places. The reports received from all prison stations in the South are believed to be very incomplete, with the exception of those received from Andersonville, Ga., Salisbury, N. C., Cahaba, Ala., and

Danville, Va. The number of deaths included in the Christian Commission report refer chiefly to battle-fields, with the exception of the 676 whose graves were found at prison camps.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

FORT MONROE, VA., *July 18, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I have the honor to report the health of state prisoner Jefferson Davis as slowly but surely growing worse. His appetite is poor, his muscular strength is diminishing, and his whole system is becoming debilitated. For the week past the febrile symptoms which I referred to last Wednesday have become daily more marked and are assuming a decided periodical type. This is more evident in the condition of his pulse than by the symptoms of open fever. Some two weeks since his pulse was languid and indicated sixty-two beats in a minute. It has daily increased until at present, at 11 o'clock this morning, it indicated 102 beats the minute. The febrile symptoms, too, are appearing about an hour earlier each day. As the pulse declines in frequency heavy perspiration sets in, followed by considerable prostration. This combined with the severe heat now experienced increases the amount of his debility. I am informed by Mrs. Davis that in this manner the severe attacks of malarial fever which state prisoner Davis has heretofore suffered from have always been ushered in. Mr. Davis complains but little and is very reticent concerning his ailments, and it is with difficulty I can discover from him when he is more unwell than usual.

In an official conversation had with Maj. Gen. Nelson A. Miles, U. S. Volunteers, on May 23, 1866, at his quarters at this post, I was told by him that he would hold me and that I would be held responsible for the health of state prisoner Jefferson Davis, and that he wished me to make such suggestions and recommendations as I deemed the preservation of his health might demand. I therefore feel compelled to recommend that he be transferred to some garrison or fort on the sea-coast in some one of the Northern States in which malarial diseases are not endemic and where the heat of summer is less severe. Fort Adams, at Newport, is, I believe, the nearest, for those in New York Harbor are decidedly malarial. I likewise recommend that until he be removed from here, if such should be considered proper by the authorities in Washington, all sources of noise at night be removed so that he may have unbroken sleep.

I make these recommendations with the confident belief that they are necessary, for I am of opinion that he has not sufficient vital power to stand up against a severe attack of malarial fever.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

[First indorsement.]

HDQRS. MILITARY DISTRICT OF FORT MONROE,
July 18, 1866.

Respectfully forwarded.

H. S. BURTON,
Brevet Brigadier-General, U. S. Army, Commanding.

[Second indorsement.]

ADJUTANT-GENERAL'S OFFICE, *July 23, 1866.*

Respectfully referred to the Surgeon-General.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT, *Washington City, July 19, 1866.*

Hon. SCHUYLER COLFAX,
Speaker of the House of Representatives:

SIR: In compliance with a resolution of the House of Representatives dated July 12, directing the Secretary of War to report the number of Union and rebel soldiers who died while held as prisoners of war, I have the honor to state that it appears by a report of the Commissary-General of Prisoners: First. That 26,436 deaths of rebel prisoners of war are reported. Second. That 22,576 Union soldiers are reported as having died in Southern prisons.

The reports also show that 220,000 rebel prisoners were held in the North, and about 126,950 Union prisoners in the South.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 20, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Asst. Adjt. Gen., War Department, Washington, D. C.:

GENERAL: I have the honor to report Surgeon Cooper informs me this morning that no material change has occurred in the health of state prisoner Jefferson Davis since his report of the 18th instant, except that his febrile symptoms appear to yield more readily to the remedies prescribed.

I am, general, very respectfully, your obedient servant,

H. S. BURTON,
Brevet Brigadier-General, U. S. Army, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
July 23, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of state prisoner Jefferson Davis about the same as usual. He complains of indigestion but thinks he has more strength than he had four days ago.

Very respectfully, your obedient servant.

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 24, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of state prisoner Jefferson Davis the same as yesterday's report. During the warm

weather he takes but little exercise: usually remains at his wife's quarters in the casemates during the day.

I am, general, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 25, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose report of Surgeon George E. Cooper upon the health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *July 25, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be somewhat better than on the 18th instant. The febrile symptoms then showing themselves have yielded to medical treatment. This with the moderation of temperature has caused the improvement. He is still very feeble, has scarcely any appetite, and is in low condition.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 30, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report the health of state prisoner Jefferson Davis about the same as in last week's reports. There has been but little change in his condition for several weeks. I do not think he improves either in appearance or strength, although he has every attention, both of the post surgeon and his wife, and the best of fare.

I am, general, most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., July 31, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis as looking very well to-day and quite cheerful. His counsel, Mr. O'Conor, visited him to-day.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 1, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *August 1, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be very much as on Wednesday last. He has at times febrile symptoms which decrease and augment from time to time. He complains of a tendency to vertigo on rising from his bed in the morning, which passes away in the course of half an hour. He complains, too, of a severe pain in the small of the back accompanied with a grating sensation on moving. This grating sensation, too, he experiences at the base of the skull. His appetite is about as usual, and I see no increase or diminution of muscular strength.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 8, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose herewith report of Surgeon Cooper concerning health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *August 8, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be much the same as on the 1st instant. During the week he has had slight febrile symptoms, which seem, however, to affect him but little. I see little or no improvement in appetite or muscular strength.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 8, 1866.

Bvt. Col. GEORGE E. COOPER, U. S. Army,
Surgeon in Charge of Post Hospital, Fort Monroe, Va.:

COLONEL: The major-general commanding directs you to report to these headquarters as to the present health, physical strength, and

general appearance of state prisoner Jefferson Davis compared with his condition in these respects when you first attended him professionally; also the difference between his present condition and that when he was first paroled, and what exercise he takes daily.

Very respectfully, your obedient servant,

H. S. GANSEVOORT,
First Lieut., Fifth Artillery, Acting Assistant Adjutant-General.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
August 8, 1866.

Respectfully returned to the Secretary of War.

From the new papers in the within case (of the alleged murder at Cahaba, Ala., in April, 1865, of Capt. H. S. Hanchett, Sixteenth Illinois Cavalry, a prisoner of war in the enemy's hands) it appears that the investigation which has been instituted for the discovery of the whereabouts of those accused of the crime has met with but little success. Lieutenant-Colonel Jones, of the rebel Army, under whose orders it would seem that Hanchett was made away with, has not been found after careful search; nor has his adjutant, also implicated, been discovered. The only one of the parties charged who has been reached is P. B. Vaughn, residing at Cahaba, who was one of the guard through whom the orders of Colonel Jones are reported as having been executed.

Upon the facts which appear as the result of the investigation this Bureau is of opinion that it would not be worth while to bring P. B. Vaughn, a mere subordinate of Jones, and, if guilty at all, far less guilty than his superior, to trial before a military commission apart from his supposed associates. And in view of the failure to find and arrest Jones, Robinson, and Phelin Vaughn, and also of the fact that since the investigation was instituted the peace status has been restored in Alabama, the opinion is entertained that no further action on the part of the military authorities at this time is called for in this case. It is submitted, however, whether the same may not properly be referred, through the appropriate channel, to the Governor of Alabama, with the request that he will use his efforts to bring to justice before a civil court, when they shall be arrested, the perpetrators of this atrocious and cowardly murder of a U. S. officer in violation of the laws of civilized warfare.

W. WINTHROP,
Brevet Colonel and Judge-Advocate
(In absence of the Judge-Advocate-General).

FORT MONROE, VA., *August 9, 1866.*

Maj. Gen. N. A. MILES,
Commanding District of Fort Monroe, Fort Monroe, Va.:

GENERAL: In reply to your communication of August 8, 1866, I have the honor to report that the present health and physical strength of state prisoner Jefferson Davis is much better than when I assumed the medical charge of him in December last. His appearance is much better; the wrinkled and shriveled condition of his skin has changed, and the sallow buckskin color has in a great measure left him. He does not complain as much of dyspeptic symptoms, and seems to have a better appetite. His whole digestive system seems to be improved. Were

it not for the febrile symptoms which have shown themselves during the last six or eight weeks he would be much better. I also state that the difference between his present condition and that on his receiving his parole is in some respects for the better. He does not give indications of such nervous irritability; the head symptoms are less frequent; he walks better; gives indications of more vitality, and shows less indications of indigestion. He is less emaciated than then, though his muscles are small, soft, and indicate but little ability to withstand exercise of a moderately severe character. His vital condition is somewhat better than it was. He has not recuperated as I was led to expect from the indications given for the three or four weeks after receiving his parole. I do not think he has improved since June 27 to any extent. This may be attributed to the fever he has suffered from, which, though light, has served to prostrate his vital powers. I cannot state the amount of exercise he now takes daily.

Very respectfully, your obedient servant.

GEO. E. COOPER,
Brevet Colonel and Surgeon, U. S. Army.

HEADQUARTERS DEPARTMENT OF VIRGINIA,
Richmond, Va., August 14, 1866.

ADJUTANT-GENERAL U. S. ARMY, *Washington, D. C.:*

GENERAL: I have the honor to report that in obedience to the instructions contained in your letter of the 16th of June last I have caused investigation to be made in regard to the conduct of Richard Turner while a turnkey of Libby Prison during the war, and that I have been unable to find evidence of such misconduct to our prisoners as would justify his being brought before a military commission for trial.

I have the honor to be, general, very respectfully, your obedient servant,

ALFRED H. TERRY,
Major-General, Commanding.

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., August 15, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to inclose weekly report of Surgeon Cooper, U. S. Army, regarding health of state prisoner Jefferson Davis.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

(Inclosure.)

FORT MONROE, VA., *August 15, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I have the honor to report the health of state prisoner Jefferson Davis to be much the same as for the last three weeks. This morning he complains of a severe headache. I observe that he appears better on alternate days. This may be attributable to slight malarial poison, the evidence of which he showed in the febrile symptoms which

presented themselves some month since and which were subdued by the exhibition of quinine. His appetite is neither improving nor diminishing. He states he gains but little strength.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, *Washington City, August 16, 1866.*

The Hon. HENRY STANBERRY, *Attorney-General:*

SIR: I have the honor to submit herewith for your consideration a copy of the report of a medical board on the 14th instant in relation to Jefferson Davis and the sanitary condition of Fortress Monroe.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

[Inclosure.]

SURGEON-GENERAL'S OFFICE,
Washington City, D. C., August 14, 1866.

Bvt. Maj. Gen. J. K. BARNES, *Surgeon-General U. S. Army:*

SIR: In obedience to your instructions of the 10th instant, "to proceed to Fortress Monroe, Va., to examine carefully into and report upon the present condition of health of state prisoner J. Davis, upon all that pertains to the preservation of the health of the prisoner, the sanitary condition of the post, and the comparative healthfulness at the present time of Fortress Monroe, Va., and Fort Lafayette, New York Harbor," we have the honor to report that, arriving at Fortress Monroe on the 12th instant, we visited prisoner Davis, and met him, returning from a walk, at the casemate now occupied by Mrs. Davis. His walk was steady and his physical appearance good.

After a careful examination of the prisoner and from the statements made by the surgeon of the post and by the prisoner himself we are of the opinion that his health has improved in every respect during the last few weeks. His pulse marked seventy-six beats per minute and was moderately full and strong; expression of countenance, healthy; temperature of skin, natural. The prisoner stated that his appetite was fair and digestion good; that his dyspepsia had been much relieved since the arrival of his wife at Fortress Monroe, as she was able to have food prepared that he had a preference for and could readily digest (all his meals being now taken with her and prepared under her supervision); that he had been free from neuralgia for some time past and slept quite well at night. It was also his opinion that he had increased in weight lately. He has had several slight febrile attacks within the past four weeks, which were promptly relieved by moderate doses of quinine and which did not at any time confine him to his bed or room. With this exception he had not suffered inconvenience from any other cause. He also informed us that he had not been confined to his room from sickness for a long time. From our examination of the prisoner and from the evidence presented we are of the opinion that prisoner Davis' health is now better than at any time since his arrival at Fortress Monroe. The measures adopted and now in use to preserve his health appear to be ample.

The sanitary condition of Fortress Monroe is excellent and the appearance of the soldiers stationed there very healthy. Fewer cases of malarial fever have occurred at that post, including the 12th instant,

for this month than for a corresponding period last month (nine cases this month, against twenty-eight cases for the entire month of July; the proportion should be the other way where malarial fever is endemic). In the post hospital but six patients were confined to their beds and these were cases of injury and venereal disease.

The comparative healthfulness of Fortress Monroe and Fort Lafayette, New York Harbor, appears from the reports of these respective posts for the five months from June to October, inclusive, for the year 1865, as follows:

Fortress Monroe, Va., ratio per thousand constantly sick 67
Fort Lafayette, New York Harbor, ratio per thousand constantly sick..... 118

Malarial fever is not uncommon at all the military posts in New York Harbor and its vicinity during the summer and fall months, and cases of cholera have occurred at several of those posts during the present summer. As yet no case of cholera has appeared at Fortress Monroe. In our opinion there is not a more salubrious military post on the Atlantic sea-board at the present time than Fortress Monroe, Va.

We remain, sir, very respectfully, your obedient servants,

C. H. CRANE,
Assistant Surgeon-General U. S. Army.
J. SIMPSON,
Brevet Colonel and Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 17, 1866.

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to report state prisoner Jefferson Davis appears the same and as usual to-day. He is looking very thin in flesh and apparently not strong, although his walk is erect and step elastic. There has been a gradual change in his appearance during his confinement here, but perhaps not more than might be expected in a man of his years and in depressed spirits.

Most respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 22, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: I have the honor to forward report of Surgeon Cooper regarding the health of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *August 22, 1866.*

Maj. Gen. N. A. MILES,
Comdg. Military District of Fort Monroe, Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be much the same as on the 15th instant. He states that he

feels better every alternate day and worse on the other days. His appetite, he informs me, is as usual. He eats but little and never feels hungry. He complains of pain and stiffness in his spinal column at the lower part, which interferes with rising when seated. I observe that he walks better and more firmly than he did. His digestion appears to be good, though he has a tendency to constipation.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 24, 1866.

Hon. E. M. STANTON, *Secretary of War:*

SIR: I have received the order of the President mustering me out of service September 1. As I have received no other appointment I fear that the President is dissatisfied with my course here, or perhaps credits some of the base slanders and foulest accusations which the disloyal press have heaped upon me. I am ready to vindicate my course to all honorable men, and here state that as far as the confinement of Jefferson Davis is concerned he has received impartial treatment—better than any other Government would have given him, and as much leniency as the dignity of the Government would justify.

As I have been here fifteen months since his first imprisonment I would have preferred to remain one month longer until he was removed from this place, at which time I intended to tender my resignation. I would now ask this slight consideration in justice to my own reputation, which has cost many sacrifices and as highly prized as life. If I am to receive another appointment in the reorganization of the Army of course I cheerfully abide any orders; if not, I would most respectfully request to remain until October 5 and then allowed to resign. I regret being obliged to trouble you with so small a matter, but it is very important to me and one which I feel very sensitive about. You have been more than a friend to me, and I hope some day to be able to serve you in return for your many kindnesses to me.

I have the honor to remain, with the highest respect, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

SPECIAL ORDERS, } WAR DEPT., ADJT. GENERAL'S OFFICE,
No. 431. } *Washington, August 29, 1866.*

* * * * * * *

5. Maj. Gen. N. A. Miles, U. S. Volunteers, is relieved from duty at Fort Monroe, Va., and will report in person to the Adjutant-General. He will bring with him the confidential records pertaining to his late command and deliver them to the Adjutant-General.

* * * * * * *

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

PRIVATE.] HDQRS. MIL. DISTRICT OF FORT MONROE, VA.,
August 30, 1866.

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I most respectfully and earnestly request that the order mustering me out of service September 1 be suspended one month, or until October 5, for this reason, viz: I have been here fifteen months during the imprisonment of Jefferson Davis and been the subject of every kind of abuse, which I consider has been unjust and an injury to my reputation. His friends have demanded my removal and are still doing so through their papers. I am of course responsible for my action here and am willing to take the responsibility one month longer.

Hoping this slight consideration will be granted me in justice to my own reputation, and for the credit of the Government, which I think it affects alike, or will in history,

I have the honor to remain, with the highest respect, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
August 30, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: Inclosed I forward report of Surgeon Cooper regarding health of state prisoner Jefferson Davis.

I have the honor to remain, very respectfully, your obedient servant,

NELSON A. MILES,
Major-General, U. S. Volunteers.

P. S.—Your order has not been received at this office.

NELSON A. MILES,
Major-General, U. S. Volunteers.

[Inclosure.]

FORT MONROE, VA., *August 29, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be somewhat better than on the 22d instant. The indications of malarial poison are not so distinct as they were and appear to have yielded to the action of quinine which he has taken. He states his appetite to be slightly improved. The exhibition of fruit has relieved, in a manner, the tendency to constipation. He complains to-day of a pain in the head, caused by having got chilled by sleeping in a draft of damp air.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

GENERAL ORDERS, No. 35. } HDQRS. MIL. COMMAND OF N. CAROLINA,
Raleigh, N. C., August 30, 1866.

I. * * * Before a military commission, which convened at Raleigh, N. C., February 21, 1866, pursuant to Special Orders, No. 35,

dated headquarters Department of North Carolina, Raleigh, N. C., February 8, 1866, and of which Col. W. W. Wheeler, Twenty-eighth Michigan Infantry, is president, was arraigned and tried—

John H. Gee, late keeper of the rebel military prison at Salisbury, N. C.

CHARGE I: Violation of the laws and customs of war.

Specification 1.—In this, that John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners, to wit, the number of 10,000 or thereabouts, there assembled, and as such commandant fully clothed with authority, and in duty bound to treat and care and provide for such prisoners, and while the said prisoners at said prison, and in his charge as such commandant, were in a condition of extreme want and suffering, as well as many of them ill and dying, by reason of the utter and continued insufficiency of the rations, clothing, shelter, and medical attendance, and of the cold and exposure to which they were constantly subjected, and of the small and narrow limits to which they were confined, did, willfully and maliciously, and in violation of the laws and usages of civilized warfare, utterly fail and neglect to provide, or cause to be provided, or to attempt to have provided, for the said prisoners, confined as aforesaid, and in his charge as such commandant at said prison, proper or sufficient rations, clothing, fuel, shelter, water, or hospital attendance; that by reason of such willful and malicious failure and neglect the said prisoners were never supplied with food either of a quality or quantity sufficient to preserve health or sustain life, and the food furnished being often of the most disgusting and loathsome description; also, that by reason thereof none of the said prisoners were supplied with sufficient water for culinary purposes or even for satisfying thirst, or with wood, except in very small and inadequate quantities, and this though an ample supply of water and wood could easily have been obtained in the immediate neighborhood of said prison and readily transported to the same by the prisoners themselves; also, that by reason thereof no clothing was supplied to the said prisoners, many of them being left during the severity of winter without clothes, shoes, blankets, or other adequate or suitable covering for their persons, and even without straw or other suitable thing on which to lie; also, that by reason thereof the shelter furnished said prisoners was entirely insufficient to protect them from the inclemency of the weather, a great number of whom, therefore—as well as on account of the insufficiency of clothing and wood as aforesaid—were obliged to burrow in the ground of said prison as the only means of protection; also, that by reason thereof the hospital accommodations and medical attendance furnished said prisoners when sick were so slight and inadequate that when once sent to the hospital of said prison the said sick rarely returned alive therefrom; and that by reason, further, of such willful and malicious failure and neglect a very great number of said prisoners, to wit, the number of about 1,200 per month, whose names are unknown, died from disease, starvation, and exposure. All these and other wrongs to the said prisoners, confined as aforesaid, he, the said Gee, then and there did. This, at Salisbury, N. C., in or about the months of November and December, 1864.

Specification 2.—In this, that John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, to wit, the number of 10,000 or thereabouts, and while the said prisoners at said prison, and in his charge as such commandant, were in a condition of extreme want and suffering, as well as many of them ill and dying, on account of the utter and continued insufficiency of the rations, clothing, shelter, and medical attendance furnished for them, and the cold and exposure to which they were constantly subjected, did, when sundry citizens of Salisbury, acquainted with the condition of the said prisoners as aforesaid, offered and attempted to relieve said prisoners by administering in some degree to their wants, and by slight acts of kindness and charity, which could in no manner have tended to relax the discipline of said prison, cruelly, and in violation of the laws and usages of civilized warfare, prohibit said citizens from so relieving the said prisoners; and this, although he, the said Gee, as well as the said rebel Government and authorities, then and there, altogether failed and neglected to properly provide for the wants and necessities of said prisoners. This, at Salisbury, N. C., in or about the months of November and December, 1864.

CHARGE II: Murder, in violation of the laws of war.

Specification 1.—In this, that John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, to wit, the number of 10,000 or thereabouts, did—upon the occasion of a slight disturbance engaged in by a very small number of the said prisoners at said prison, and in which disturbance the prisoners other than said small number took no part, and which disturbance was caused by the sufferings of the said prisoners from starvation, for which the said Gee was responsible, and which disturbance the said Gee could have quelled and terminated by the arrest of the few principally concerned therein, and by the use of moderate force and the ordinary means of enforcing discipline which were at his command—willfully, feloniously, recklessly, and in violation of the laws and usages of civilized warfare, order the entire prison guard to fire upon the mass of prisoners in the inclosure of said prison, indiscriminately, and did further order two pieces of artillery—one loaded with scrap iron and one loaded with round shot or shell, and one of said pieces being placed at the time within about ten yards of the tents of said prisoners—to be fired upon the mass of said prisoners, and in pursuance of said orders, maliciously and murderously given as aforesaid, the said guard did then and there fire upon said prisoners, whereby, and by means of which said firing, ten of said prisoners of war, in his charge, at such prison (whose names are unknown) who were sleeping or remaining in their tents at the time, were then and there killed, and a large number of others—the number and their names unknown—were wounded, and afterward died of their wounds, all, or nearly all, who were thus killed or who died from wounds thus received being in no wise engaged in said disturbance. This, at Salisbury, N. C., on or about the 25th day of November, 1864.

Specification 2.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon said prisoners therein confined, and in pursuance of said order, maliciously and murderously given as aforesaid, one of the said guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoners, inflicting upon Lieut. John Davis, One hundred and fifty-fifth New York Infantry, one of the said prisoners confined in the said prison, a mortal wound with the musket aforesaid, of which he, the said Lieutenant Davis, died. This, at Salisbury, N. C., on or about the 16th day of October, 1864.

Specification 3.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon said prisoners therein confined, and in pursuance of said order, maliciously and murderously given, as aforesaid, one of the said guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoners, inflicting upon one of the said prisoners, whose name is unknown, a mortal wound with the musket aforesaid, of which he, the said prisoner, died. This, at Salisbury, N. C., on or about the 27th day of October, 1864.

Specification 4.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon said prisoners therein confined, and in pursuance of said order, maliciously and murderously given, as aforesaid, one of the said guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoners, inflicting upon one of the said prisoners, whose name is unknown, a mortal wound with the musket aforesaid, of which he, the said prisoner, died. This, at Salisbury, N. C., on or about the 30th day of November, 1864.

Specification 5.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of

the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon said prisoners therein confined, and in pursuance of said order, maliciously and murderously given, as aforesaid, one of the guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoners, inflicting upon one of the said prisoners, whose name is unknown, a mortal wound with the musket aforesaid, of which he, the said prisoner, died. This, at Salisbury, N. C., on or about the 1st day of December, 1864.

Specification 6.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon the prisoners therein confined, and in pursuance of said order, maliciously and murderously given, as aforesaid, one of the said guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoners, inflicting upon Moses Smith, a colored soldier, one of the said prisoners confined in the said prison, a mortal wound with the musket aforesaid, of which he, the said Moses Smith, died. This, at Salisbury, N. C., on or about the 16th day of December, 1864.

Specification 7.—In this, that the said John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners there assembled, feloniously, willfully, and of his malice aforethought, did, needlessly and without cause, order the guard at said prison to fire upon the said prisoners therein confined, and in pursuance of said order, maliciously and murderously given, as aforesaid, one of the said guard, whose name is unknown, did, with a musket loaded with gunpowder and bullet, then and there fire upon the said prisoner, inflicting upon Frank Graham, an enlisted man of Company D, Sixth Ohio Infantry, one of the said prisoners confined in the said prison, a mortal wound with the musket aforesaid, of which he, the said Frank Graham, died. This, at Salisbury, N. C., on or about the 8th day of December, 1864.

To which charges and specifications the prisoner pleaded, not guilty.

FINDING.

The commission, having maturely considered the evidence adduced, does find to exist the following facts as set forth in the first specification of the first charge, to the exclusion of all words not quoted, to wit:

"That John H. Gee, while being, or claiming to be, a major in the rebel military service, and as such being in command and charge of the prison established and used by the rebel Government or military authorities at Salisbury, N. C., for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, and being in charge of a large number of such prisoners, to wit, the number of 10,000 or thereabouts, there assembled, and as such commandant in duty bound to treat and care and provide for such prisoners, and while the prisoners at said prison, and in his charge as such commandant, were in a condition of extreme want and suffering, as well as many of them ill and dying, by reason of the utter and continued insufficiency of the rations, clothing, shelter, and medical attendance, and of the cold and exposure to which they were constantly subjected, and of the small and narrow limits to which they were confined, did fail to provide or cause to be provided for the said prisoners, confined as aforesaid, and in his charge as such commandant at said prison, proper or sufficient rations, clothing, fuel, shelter, water, or hospital attendance; that by reason of such failure the said prisoners were never supplied with food either of a quality or quantity sufficient to preserve health or sustain life; also, that by reason thereof none of the said prisoners were supplied with sufficient water for culinary purposes, or even for satisfying thirst, or with wood, except in very small and inadequate quantities, and this though an ample supply of water and wood could have been obtained in the immediate neighborhood of said prison and transported to the same by the prisoners themselves; also, that by reason thereof no clothing was supplied to the said prisoners, many of them being left during the severity of winter without clothes, shoes, blankets, or other adequate or suitable covering for their persons and without straw or other suitable thing on which to lie; also,

that by reason thereof the shelter furnished said prisoners was entirely insufficient to protect them from the inclemency of the weather, a great number of whom, therefore—as well as on account of the insufficiency of clothing and wood, as aforesaid—were obliged to burrow in the ground of said prison as the only means of protection; also, that by reason thereof the hospital accommodations and medical attendance furnished said prisoners when sick were so slight and inadequate that when once sent to the hospital of said prison the sick rarely returned alive therefrom; and that by reason, further, of such failure a very great number of said prisoners, to wit, the number of about 500 per month, whose names are unknown, died from disease, starvation, and exposure. This, at Salisbury, N. C., in or about the months of November and December, 1864."

And the commission, attaching no responsibility to the said John H. Gee other than for weakness in retaining position when unable to carry out the dictates of humanity, and believing that higher authorities of the rebel Government were fully responsible for all the alleged violations of the laws and customs of war, finds of the specification, not guilty.

Of the second specification to the first charge, not guilty.

Of the first charge, not guilty.

Charge II.

Of the first specification, not guilty.
Of the second specification, not guilty.
Of the third specification, not guilty.
Of the fourth specification, not guilty.
Of the fifth specification, not guilty.
Of the sixth specification, not guilty.
Of the seventh specification, not guilty.
Of the charge, not guilty.
And the commission does therefore acquit the said John H. Gee.

II. * * * In approving the proceedings and findings in this case the commanding general cannot agree with the commission that the only responsibility of the accused was "weakness in retaining position" as commandant of the prison. While the evidence clearly establishes the fact that higher authorities of the rebel Government were fully responsible for these violations of the laws and customs of war, and that the accused was constantly calling their attention to the condition of the prison and asking for supplies, it is believed that he had it in his power to relieve much of the suffering of the prisoners under his charge. There was an abundant supply of running water and wood enough for fuel and shelter within a quarter of a mile of the prison pen. Men who had served in the field would soon have built huts for themselves if permitted to do so. Not only were prisoners starved, but suffered for want of water and fuel—which they might have procured themselves—because it was feared they might effect their escape. Prisoners were shot down in cold blood and the perpetrators of these murders were allowed to go unpunished. There seems to have been more anxiety to prevent the escape of prisoners of war than to preserve their lives.

III. * * * The military commission of which Col. W. W. Wheeler, Twenty-eighth Michigan Infantry, is president is hereby dissolved.

By command of Brevet Major-General Robinson:

J. A. CAMPBELL,
Assistant Adjutant-General.

RICHMOND, *August 31, 1866.*

Hon. E. M. STANTON, *Secretary of War United States:*

SIR: You will recollect my calling on you some months since when you, at my request, released R. R. Turner from confinement in the Libby Prison here on parole to answer, &c. General A. H. Terry, just before he left this Department, informed me he had reported to the

Adjutant-General of the United States that on examination no charges had or could be preferred against Turner, and recommended his final discharge. May I now ask of you the official and personal kindness to forward that discharge to,

Very respectfully, your obedient servant,

JOHN H. GILMER,
Box 707, Richmond Post-Office.

[First indorsement.]

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
September 11, 1866.

Respectfully returned to the Secretary of War.

In view of the within recent report of General Terry that evidence cannot, upon investigation, be found sufficient to warrant bringing this man to trial by a military court, no motive is perceived to remain for continuing in his case even the inconsiderable restraint of a parole.

J. HOLT,
Judge-Advocate-General.

[Second indorsement.]

WAR DEPARTMENT, *September 19, 1866.*

Respectfully referred to the Adjutant-General with directions to carry into effect the suggestions of the Judge-Advocate-General by giving a release from the parole.

By order of the Secretary of War:

L. H. PELOUZE,
Assistant Adjutant-General.

HDQRS. MILITARY DISTRICT OF FORT MONROE, VA.,
Fort Monroe, Va., September 2, 1866.

Bvt. Brig. Gen. H. S. BURTON, U. S. Army,
Commanding Post of Fort Monroe, Va.:

GENERAL: I have the honor to state that owing to the absence of Major-General Miles you are in command of this district.

I am, general, very respectfully, your obedient servant,

H. S. GANSEVOORT,
First Lieut., Fifth Artillery, Acting Assistant Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, September 3, 1866.

Maj. Gen. NELSON A. MILES,
Commanding, Fort Monroe, Va.:

Orders were mailed to you at 3 p. m. August 30 relieving you from duty at Fort Monroe, and directing you to report in person to the Adjutant-General, bringing with you the confidential records pertaining to your late command. Your appointment of colonel awaits you here.

E. D. TOWNSEND,
Assistant Adjutant-General.

FORT MONROE, VA., *September 5, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the condition of state prisoner Jefferson Davis to be somewhat less favorable than at the time of my last communication. He complains of neuralgic pains, is restless, and appears more debilitated than usual. He states that his muscular strength is growing less. His pulse is somewhat more rapid than it has been during the week. The skin of his hands is cold and clammy. His face gives indication of more mental anxiety than is generally observable upon it. His appetite is as usual, and he sleeps no better than heretofore.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

[Indorsement.]

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., September 6, 1866.

Respectfully forwarded to Bvt. Maj. Gen. E. D. Townsend, assistant adjutant-general, War Department, Washington, D. C.

H. S. BURTON,
Brevet Brigadier-General, U. S. Army, Commanding.

JUDGE-ADVOCATE'S OFFICE, WAR DEPARTMENT,
Washington, September 10, 1866.

General J. HOLT, *Judge-Advocate-General:*

GENERAL: I have the honor to acknowledge the receipt of your letter of 8th instant, in which you state, "A base endeavor is being made through the disloyal press of the country, acting in the interests of Jefferson Davis and the rebellion and in co operation with Sanford Conover, to impress the public mind with the belief that I in some way countenanced or was involved with Conover in the subornation of the witnesses produced by him before the Bureau of Military Justice, and whose testimony is now discredited as having been fabricated by himself." You also state, "A further impression is sought to be made, in utter disregard to the facts, that the crime thus committed by Conover was not discovered by any agency of mine, but in despite of endeavors on my part to prevent the exposure." And inasmuch as I, your agent and acting under your directions, was connected with exposing and disclosing the falsity of the testimony produced by Conover and his subornation of witnesses, you request me to "make a very brief but distinct statement of all that occurred in connection with this testimony in any manner bearing on the atrocious calumnies against me, &c." In compliance with your request I respectfully state that on the 26th of April last you informed me that certain persons had made depositions before the Bureau of Military Justice relative to the alleged connection of Jefferson Davis, C. C. Clay, and others with the assassination of President Lincoln. That the Judiciary Committee of the House of Representatives were investigating the matter, and you were unwilling that the depositions should be received as testimony without being tested and verified by the personal examination and cross-examination of the witnesses by the committee. You seemed anxious that the witnesses should be produced before the committee, and directed and instructed

me to proceed to New York and obtain their attendance. You furnished me with the names and probable whereabouts of the witnesses, viz: Sanford Conover, post-office address, Station A, New York; Joseph Snevel, post-office address, Station D, New York; William Campbell, Farnum B. Wright, and John McGill, supposed to be in or about New York; John H. Patten, supposed to be in Saint Louis; Sarah Douglass and Mary Knapp, supposed to be in Canada. You advised that Wright should be sent to find Patten and Conover to go to Canada for the two women. You sent a telegram to Snevel to meet me at the Astor House the morning of the 27th of April and gave me a letter of introduction to Conover, of which the following is a true copy:

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
Washington, D. C., April 26, 1866.

MR. SANFORD CONOVER:

DEAR SIR: This will be presented to you by Colonel Turner, judge-advocate, who will communicate with you fully in regard to the business which takes him to New York. The Judiciary Committee of the House of Representatives are anxious to secure at as early a day as possible the attendance of the witnesses named in a list in Colonel Turner's hands and I write to request that you will at once use all your efforts to secure that result. You probably know the whereabouts of most of them and through your personal exertions, aided by others, may succeed in bringing these witnesses, or at least the greater part of them, before the committee. I saw Mr. Wilson this morning, who read me your letter, and it is at his instance that I write you, having no doubt that from the information you have and your past faithfulness you will be both able and willing to do in the interest of truth and public justice what is now required of you.

Very respectfully, your obedient servant,

J. HOLT,
Judge-Advocate-General.

The sole object of said letter was my introduction to Conover to have him aid in procuring the witnesses before the committee. All the witnesses were unknown to me, and I was not before advised that their depositions had been taken. And there was no intimation that there was any suspicion entertained by any one that their testimony was not perfectly truthful and reliable. I arrived at the Astor House on the morning of April 27 last, and, after repeated delays and annoying difficulties, obtained interviews with Conover, Campbell, and Snevel, and a copy of my report in this regard, made at your request to the Judiciary Committee, is herewith inclosed.* Through the disclosures of Campbell and otherwise I ascertained, undoubtedly, that all the witnesses procured by Conover before the Bureau of Military Justice deposed under fictitious names; that their verified statements were false and fabricated by Conover; and that Conover, in the service of confederated rebels, was the author of the atrocious scheme which resulted in such astounding perjuries and subornations. Thursday, May 3, I returned to Washington and Campbell accompanied me. After reporting to you, and your interview with Campbell, a telegram was sent at your instance to Conover, requesting his immediate attendance before the Judiciary Committee. Conover, having no suspicion that Campbell and myself were in Washington, came on at once, and, greatly to his surprise, he was confronted by Campbell in the Judiciary Committee room, which was the result of an arrangement between you, Mr. Wilson, chairman of the Committee on the Judiciary, and myself. After Campbell had been examined Conover asserted that the statement of Campbell that the testimony given by him before the Bureau of Military Justice had been fabricated by him (Conover) was false, and the Judiciary Committee permitted him to return

* See June 2, p. 921.

to New York in charge of the sergeant-at-arms to procure the attendance of the witnesses whose depositions had been taken with those of Campbell, Snevel, and others. He left that officer on arriving at the Astor House and could not afterward be found. At your instance and under your directions I again went to New York, May 15, with Campbell and the sergeant-at-arms to subpœna the other witnesses and procure their attendance before the Judiciary Committee. Snevel, McGill, Wright, and Patten were found and subpœnaed, and I returned with Snevel to Washington. The others failed to appear. Snevel was examined by the committee and fully corroborated Campbell as to the falsity and fabrication of the depositions. Again referring you to the copy of my report to the Judiciary Committee, inclosed, which furnishes in greater detail the action taken by me while acting under your directions and instructions, I beg leave to state in conclusion that, in my judgment, the base calumnies with which traitors, confessed perjurers and suborners, are pursuing you are as preposterous as atrocious, and will result in increasing instead of lessening the enduring confidence of all true-hearted and honest-minded men in your eminent fidelity and faithfulness as a governmental officer, and your undoubted loyalty as a citizen.

I have the honor to be, very respectfully, your obedient servant,

L. C. TURNER,
Judge-Advocate.

WAR DEPARTMENT, BUREAU OF MILITARY JUSTICE,
Washington, D. C., September 11, 1866.

Hon. EDWIN M. STANTON, *Secretary of War:*

SIR: I have the honor to state that recently charges of the utmost gravity, affecting my official integrity and conduct, have been preferred against me before the country, to the effect that while acting as Judge-Advocate-General and as judge-advocate of the military commission which tried the assassins of the late President I suborned testimony which was used upon that trial and secured the conviction of Mrs. Surratt, one of the prisoners, against whom, as is alleged by the accusation, there was no testimony whatever; and further, that in the depositions of certain witnesses produced by Sanford Conover and examined before the Bureau of Military Justice I united with said Conover, or had knowledge of the crime which he committed, in the fabrication of the evidence which they thus gave, such evidence having reference to the complicity of Jefferson Davis and Clement C. Clay in the assassination of President Lincoln. As these accusations, utterly false and groundless as I pronounce them to be, and as they are believed to be known by those who have given them utterance to be, are of the gravest import and directly call in question my official integrity, and must, if credited, destroy all confidence in me as a public officer and in the Bureau over which I preside, it seems to be a solemn duty on the part of the Government to have them investigated and a record of the truth made. My official honor and that of this Bureau, as well as that of the military service with which I am connected, imperatively demand this. I seek and challenge the severest scrutiny of my official conduct, in all the matters to which these atrocious accusations relate, which can be instituted in the interest of truth and justice. I therefore respectfully but earnestly ask that under the Articles of War a court of inquiry, composed of officers of high rank and national reputation,

be appointed, whose duty it shall be to thoroughly examine each and all of said charges as preferred against me, and that said court shall be required not merely to report the facts but to give their opinion on the merits of the case.

I have the honor to remain, very respectfully, your obedient servant,

J. HOLT,
Judge-Advocate-General.

[Indorsement.*]

This application having been submitted to the President and considered by him, it is not deemed to be expedient to order a court of inquiry. The President is entirely satisfied with the honesty and fidelity of the Judge-Advocate-General in the matters referred to in the application, and that there is no ground to impeach his personal or official honor and integrity, and that his conduct requires no inquiry or vindication. For this reason a court of inquiry is deemed unnecessary. In this view the Secretary of War fully concurs.

FORT MONROE, VA., *September 12, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I would respectfully report the health of state prisoner Jefferson Davis to be much the same as at last report. He complains of a rheumatic affection of the right shoulder and arm and of being weaker than heretofore.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

[Indorsement.]

HDQRS. MILITARY DISTRICT OF FORT MONROE,
Fort Monroe, Va., September 13, 1866.

Respectfully forwarded.

H. S. BURTON.
Brevet Brigadier-General, U. S. Army, Commanding.

FORT MONROE, VA., *September 16, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I would respectfully report that the physical condition of state prisoner Jefferson Davis is much the same as on my report of the 12th instant.†

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

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* In handwriting of Mr. Stanton but not signed.

† This and all subsequent reports of the medical officer at Fort Monroe were regularly forwarded (by indorsement) by the commanding officer to the Adjutant-General of the Army.

FORT MONROE, VA., *September 19, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be much the same as on the 16th instant. He complains still of the rheumatic affection of the right shoulder, and also of a sensation of fullness of the head, with a tendency to vertigo. His pulse indicates seventy-two beats in a minute, is full and compressible. He states his appetite to be poor, though his digestion is comparatively good. He sleeps better than heretofore.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, September 22, 1866.

Mr. R. R. TURNER. *Richmond, Va.:*
(Care John H. Gilmer, esq.)

SIR: I have respectfully to inform you that by direction of the Secretary of War you are hereby released from the terms of a parole upon which you were enlarged from Libby Prison June 18, 1866.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

FORT MONROE, VA., *September 23, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report that there is no material difference in the health of state prisoner Jefferson Davis from what it was on the 19th instant.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *September 26, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report state prisoner Jefferson Davis to be in his usual health. He complains of considerable debility and a continuance of the rheumatic pain in his right shoulder as well as in the lumbar region of his spinal column. His pulse is slow, full, and regular. He states his appetite is slowly improving. He sleeps about as usual, but is not much refreshed by his slumbers.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *September 30, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no observable change in the physical condition of state prisoner Jefferson Davis.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., October 3, 1866.

Bvt. Lieut. Col. J. M. CUTTS, U. S. Army, *Recorder:*

SIR: With reference to your communication of the 2d instant I have the honor to state, for the information of the board of officers convened by virtue of Special Orders, No. 486, War Department, Adjutant-General's Office, October 1, that the fund under charge of this office was derived as follows:

Received from Bvt. Brig. Gen. John E. Mulford (moneys recovered from the rebel authorities taken from U. S. soldiers while held as prisoners of war)—	
U. S. currency	$25,639.80
Specially converted into U. S. currency:	
Silver coin	157.85
Gold coin	55.42
Currency	.95
Southern States and Northern bank notes amounting to $5,847.75, which realized at sale	1,204.01
	27,058.03
To which add premium on sale of gold and silver	66.58
From sale of tobacco belonging to rebel prisoners unclaimed	733.48
	27,858.09
There has been paid from the fund for advertising	50.10
Balance on hand	27,807.99

There are a couple of bills outstanding for advertising which will reduce the fund about $50 more. The only personal property received was eight old silver watches belonging to specified parties. In order to bring under one denomination (known to the Government) such items as had an uncertain and constantly varying value—the silver coin, gold coin, currency (and tobacco)—by authority of the Secretary of War these several items were converted into the national currency, and are all included in the sum total of $27,807.99.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

FORT MONROE, VA., *October 3, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as being somewhat less favorable than at my last report. He complains of a severe neuralgic affection of the back of the neck and posterior portion of the head, and a feeling of greater debility than heretofore.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *October 7, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be much as it was on Wednesday last.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *October 10, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as much the same as on the 3d instant. I observe that he is growing weaker slowly but surely. He complains of great debility as the consequence of slight exertion. I can discover no prominent lesion in any of his organs, but observe the gradual wearing away of his whole system. He is decidedly in worse condition than he was some months since.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *October 14, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report no perceptible change in the physical condition of state prisoner Jefferson Davis.

Very respectfully, your obedient servant,

GEO. E. COOPER
Surgeon, U. S. Army.

FORT MONROE, VA., *October 17, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report that there is no appreciable change in the physical condition of state prisoner Jefferson Davis. He complains only of neuralgic pain of the head and shoulders and of muscular debility.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., October 19, 1866.

Bvt. Maj. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, U. S. Army, Washington, D. C.:

GENERAL: In compliance with circular from War Department, Adjutant-General's Office, of the 5th instant, I have the honor to report, for the information of the Secretary of War, the following as being the operations of this Bureau from October 20, 1865, to and including the 15th day of October, 1866.

There are now forty-four clerks employed in this Bureau, the number having been reduced since October 20, 1865, from seventy-five, there having been employed an average number of fifty-five throughout the year. This clerical force has been distributed into five divisions, whose labor will be shown by the following statements:

First and second divisions.—Executive—letters received, indorsement and memorandum, and letters sent:

Communications received, briefed, and entered on permanent record books	6,379
Papers acted on by indorsement	5,343
Communications sent out (written)	1,502
Communications sent out (printed form)	361
Telegrams received, briefed, and entered on permanent record books	8
Telegrams sent	9
Letters (letterpress work) recopied into permanent record books, folios in permanent books	5,865
Telegrams (letterpress work) recopied into permanent record books, folios in permanent book	1,063
Volumes, permanent record, permanently indexed	7
Letters sent, permanent records, subjects indexed	4,200
Claims against fund (belonging to Federal prisoners, recovered) turned over by General Mulford, examined	729

Besides the foregoing, an immense amount of miscellaneous work has been performed which cannot be specially embraced in this report.

NOTE.—All communications and correspondence pertaining to commutation for rations to prisoners of war are reported in the operations of the fifth division of this Bureau. The principal portion of letters of inquiry from the Paymaster-General, Second Auditor, and Commissioner of Pensions are accounted for in the operations of the third division of this Bureau.

Third division.—Records pertaining to Federal prisoners: Letters of inquiry received and entered on letter books in this division—

From Paymaster-General	4,242
Second Auditor	1,451
Commissioner of Pensions	168
Number of cases examined and records furnished for—	
Adjutant-General	3,157
Second Auditor	1,940
Paymaster-General	4,616
Commissioner of Pensions	402
Miscellaneous	706
Total	10,821

The examination of these cases frequently involves great labor, owing to the vague information furnished in many of the letters of inquiry as to when and where the parties inquired for were last heard from, or other information that would facilitate the examination of the records. In most cases this office is expected to furnish the complete record of each soldier from the time of his capture until his exchange and return to duty with his company, or until he is otherwise disposed of: and as the rolls and records pertaining to Federal soldiers, prisoners of war, comprise over a million of names (owing to the fact that the same name frequently appears on five or six different reports from the time of parole until they are finally disposed of), it will readily be seen that the work of examination must necessarily consume a considerable amount of labor and time.

Number of certificates from records issued:	
Paymaster-General	4,131
Second Auditor	1,162
Commissioner of Pensions	138
Total	5,431

The number of records entered on permanent record books, embracing the name (arranged alphabetically), rank, regiment, and company, capture and release, and intermediate record while on parole, was about 260,000. This apparently large number of names in proportion to the number known to have been prisoners of war is due in fact, as before stated, that the same name frequently appears in several different reports. The compilation of the death and burial records of U. S. soldiers who died while prisoners of war in the South has been an important work in this division.

In addition to the foregoing work the statements as to capture and release, made in applications for commutation for rations while prisoners of war, are verified by the records of this division. There has been a considerable amount of miscellaneous work performed in this division which cannot be embraced in this report, though necessary for the completion and correction of records, preparation of reports, &c., called for.

Fourth division.—Records pertaining to rebel prisoners. The work of this division has been confined principally to the completion of records (filing of rolls and returns, and the preparation of final and permanent indexes to all rolls and returns, paroles, &c., pertaining to rebel prisoners and the paroled armies, rebel). The rolls and paroles pertaining to the paroled armies have not been entered on permanent record books, the Secretary of War not deeming it of sufficient importance, but have been filed in convenient form for reference. The number of prisoners of war and political prisoners on hand October 20, 1865, was twenty, all of whom have been disposed of or dropped from the reports to this office by authority.

The approximate number of records entered on books embracing name, rank, company, and regiment, date and place of capture, and final disposition, 35,000; paroles, name, rank, and regiment indorsed on back, 19,526. Prepared: One complete index of all monthly returns, post returns, and inspection reports received from the several prisons and hospitals during the rebellion. Rolls classified and put up in convenient sized packages, with the letter marks and description of the rolls contained in the package noted on the outside, 13,242. A complete index of all rolls received, referring to the packages by number, &c., has also been prepared.

There has been a considerable amount of miscellaneous work performed in this division which cannot be enumerated in this report, work pertinent to the completion of records, examinations made, and information furnished from records, and the preparation of numerous reports that have been called for. The perfection of the death and burial records of rebel prisoners has been an extensive work in this division.

The following is a list of stations from which reports of deaths and burials of rebel prisoners have been received at this office at periods during the secession rebellion:

Alton Military Prison, Ill.; Alexandria, Va.; Army Corps—Sixteenth, Seventeenth, and Twentieth; Army of the Potomac; Annapolis, Md.; Atlanta, Ga.; Baltimore, Md.; Beaufort, S. C.; Bridgeport, Ala.; Bowling Green, Ky.; Batesville, Ark.; Camp Chase, Ohio; Camp Douglas, Ill.; Camp Butler, Ill.; Camp Morton, Ind.; Camp Nelson, Ky.; Camp Randall, Wis.; Chester, Pa.; Covington, Ky.; Columbus, Ohio; Cumberland Gap, Tenn.; Cleveland, Ohio; City Point, Va.; Chambersburg, Pa.; Clarksburg, W. Va.; Chattanooga, Tenn.; Cumberland, Md.; Charleston, S. C.; Davids Island, N. Y. Harbor; Elmira, N. Y.; Fort Warren, Boston Harbor; Fort Lafayette, N. Y. Harbor;

Fort Delaware, Del.; Fort McHenry, Md.; Fort Pulaski, Ga.; Fort Scott, Kans.; Fort Columbus, N. Y. Harbor; Fort Leavenworth, Kans.; Fort Mifflin, Pa.; Fort Monroe, Va.; Fort Smith, Ark.; Fort Donelson, Tenn.; Fort Wood, N. Y. Harbor; Franklin, Tenn.; Frederick, Md.; Farmville, Va.; Gettysburg, Pa.; Gallipolis, Ohio; Harrisburg, Pa.; Hilton Head, S. C.; Hart's Island, N. Y. Harbor; Johnson's Island, Ohio; Knoxville, Tenn.; Kansas City, Mo.; Key West, Fla.; Louisville, Ky.; Little Rock, Ark.; Lincoln General Hospital, D. C.; Lexington, Ky.; Memphis, Tenn.; Murfreesborough, Tenn.; Martinsburg, W. Va.; Morehead City, N. C.; McLean Barracks, Ohio; New Orleans, La.; Nashville, Tenn.; Newport News, Va.; New Berne, N. C.; New Creek, W. Va.; Old Capitol Prison, D. C.; Paducah, Ky.; Pittsburg, Pa.; Philadelphia, Pa.; Petersburg, Va.; Point Lookout, Md.; Raleigh, N. C.; Rock Island, Ill.; Stevenson, Ala.; Ship Island, Miss.; Saint Louis, Mo.; Savannah, Ga.; Vicksburg, Miss.; Wheeling, W. Va.; Willets Point, N. Y.

Fifth division.—Commutation for rations from November 1, 1865 (date of last report), to and including the 15th of October, 1866:

Number of claims on hand November 1, 1865	4,112
Number of claims received since November 1, 1865	4,057
Number of claims allowed	870
Number of claims disallowed	241
Number of certificates issued	307
Number of communications briefed and entered in permanent letter books	6,822
Number of communications sent (written)	1,812
Number of communications sent (printed form)	6,192
Papers sent out by indorsement	86
Claims on hand October 15, 1866	7,622
Records entered on permanent record books, embracing names (alphabetically arranged), rank, company, and regiment, capture and release, &c	25,093
Number of names indexed	20,242
Remarks in red ink and notations made	4,046
Claims examined	4,018

A large amount of work has been performed in this division which cannot be enumerated in this report, particularly the answering of numerous personal inquiries as to the condition of claims, nearly all of which cases required an examination of the records. It may be properly here stated that from December 20, 1865 (the date on which payment of commutation of rations to prisoners of war was suspended), until August 11, 1866 (the date on which payment was resumed), the duties of this division, instead of being lessened, were greatly increased, as applicants, becoming impatient, made repeated inquiries by letter and otherwise as to the cause of delay, &c.

During the suspension of payment of commutation all claims received were examined with a view to their settlement at such time as payment might be resumed, if required.

The issuing of certificates on claims examined and ready for settlement has necessarily been retarded since the resumption of payment was authorized, owing to the want of the additional evidence (as to transfer or assignment of claims) required by the resolution of Congress approved July 25, 1866; also to learn the correct post-office address of the claimant.

Circular letters are being sent to all claimants whose claims are ready for settlement calling for the above evidence and information, on the receipt of which certificates are sent to their address through the Commissary-General of Subsistence, who designates, by indorsement on the back of each certificate, the disbursing officer (and his station) authorized to pay the claim.

Prior to July 6, 1866 (when he was relieved from duty in this office), Maj. and Bvt. Col. Robert Avery, Veteran Reserve Corps, was an assistant in this office, which has been throughout the year, and since February, 1863, under the immediate supervision of W. T. Hartz, captain and assistant adjutant general and brevet major in U. S. Volunteers, whose varied duties, as will appear by the several statements included in this report, have been performed with remarkable ability. They have been of immense importance to this branch of the public service, from which is necessarily drawn data governing, to some extent, many separate disbursing departments. They have required industry, exactness, and fidelity in both Major Hartz and the numerous gentlemen employed under his immediate supervision, whose labors have afforded gratifying evidence of patriotic devotion at their several desks.

Very respectfully, your obedient servant,

E. A. HITCHCOCK,
Major-General, U. S. Vols., Commissary-General of Prisoners.

FORT MONROE, VA., *October 21, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no observable change in the condition of state prisoner Jefferson Davis more than the gradual failure of his muscular strength.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *October 24, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no observable change in the condition of state prisoner Jefferson Davis more than a gradual increase of general debility.

Respectfully, your obedient servant,

JAS. P. PRINCE,
Acting Assistant Surgeon, U. S. Army.

FORT MONROE, VA., *October 28, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no observable change in the condition of state prisoner Jefferson Davis more than the gradual increase of general debility.

Respectfully, your obedient servant,

TIMOTHY E. WILCOX,
Acting Assistant Surgeon, U. S. Army.

FORT MONROE, VA., *October 31, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report that the health of state prisoner Jefferson Davis indicates but little change. He is evidently growing weaker and more debili-

tated, but this is so gradual as to be scarcely perceptible save to one who sees him at comparatively long intervals. He complains of neuralgic pains in his head and right shoulder. I attribute his gradual wasting away more to mental than physical pain.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon and Brevet Colonel, U. S. Army.

FORT MONROE, VA., *November 7, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I have the honor to report that I observe no perceptible change in the physical condition of state prisoner Jefferson Davis. He complains much of muscular debility and neuralgic pains, affecting the back part of his head and right shoulder.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

JUDGE-ADVOCATE'S OFFICE, WAR DEPARTMENT,
Washington, D. C., November 8, 1866.

General JOSEPH HOLT, *Judge-Advocate-General:*

GENERAL: I have the honor to say I deem it proper to inform you that within a few days, and since Sanford Conover's arrest, I have had several conversations with him, in the course of which I brought to his notice and exhibited to him, as published, the various letters which first appeared in the New York Herald and have since been copied into other papers, purporting to be from or to him, and intended by their statements and intimations to criminate yourself, and desired him to say what he knew in regard to them. The letters to which I refer may be described as follows, viz: One signed M, dated 17th of April, 1866, and addressed to said Conover; one bearing the signature of William Campbell and also addressed to Conover, under date of Saint Albans, Vt., November 19, 1865; one signed Carter, and directed likewise to Conover, dated Quartermaster's Office, April 27, 1866; one signed Joseph Snevel, addressed to Conover and dated Westchester House, November 14, 1865; one signed S. Conover, addressed to Patten and dated Ephrata Mountain House, June 8, 1866, and one dated Philadelphia, December 13, 1865, signed S. Conover and addressed to Brigadier-General Holt, Judge-Advocate-General, professing to have inclosed within it a letter to said Conover from M. N. Harris, dated Harrisburg, December 11, 1865. Conover declared to me unhesitatingly and distinctly that he had written no such letters to you as the foregoing, purporting to have been written by him to yourself; and further, he stated that he had not received from the parties above named, or either of them, any such letters as those above set forth, and which profess to have been written by said parties to said Conover; and further, that he knew nothing in regard to them. While he thus in effect declared all these papers to be fabricated and false, he insisted that he did not know by whom they had been manufactured for publication. Several of these letters, as published, will be found set out fully in the depositions of Joseph Hoare and William H. Roberts, recently taken at my office. Feeling some solicitude to know what motive could have prompted Conover

to suborn the witnesses produced by him before the Bureau of Military Justice, I asked him, and he replied and requested me to state to you that it was solely a desire to avenge himself on Jeff. Davis, by whose order, he said, he had been confined for some six months in Castle Thunder. He alleged that not only had he been thus maltreated, but that his wife had also been insulted by Davis. He also assured me that the testimony he gave on the trial of the assassins of President Lincoln, before the military commission, was true in every particular, and asserted again and again that Davis was connected with said assassination, and as to that there was no sort of question.

I have the honor to be, very respectfully, your obedient servant,

L. C. TURNER,
Judge-Advocate.

ADJUTANT-GENERAL'S OFFICE,
Washington, November 14, 1866.

Bvt. Brig. Gen. H. S. BURTON,
Commanding, Fort Monroe, Va.:

The Secretary of War desires to know under what orders, or by what authority, you permit persons not specially authorized by this Department to visit Jefferson Davis.

E. D. TOWNSEND,
Assistant Adjutant-General.

FORT MONROE, VA., *November 14, 1866.*

General E. D. TOWNSEND, *Assistant Adjutant-General:*

GENERAL: In answer to your telegram of this date I would respectfully state that there are no orders for or against my permitting persons to visit Jeff. Davis in my possession, nor have any orders upon the subject been turned over to me by my predecessor, General Nelson A. Miles. I have permitted persons to visit Jeff. Davis, following the precedent established by my predecessor, who, having been in charge of the prisoner for fifteen months, was, it is presumed, acting under orders from the War Department. If it is the wish of the War Department that no person be permitted to visit Jefferson Davis without its permission instructions are requested.

H. S. BURTON,
Brevet Brigadier-General, Commanding.

FORT MONROE, VA., *November 14, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I would respectfully report that there is no appreciable change in the physical condition of state prisoner Jefferson Davis.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, November 15. 1866.

Col. N. A. MILES, *Fortieth U. S. Infantry, Washington, D. C.:*

SIR: The Secretary of War desires to know what instructions you turned over to General Burton, when relieved in command of Fort

Monroe. in relation to permitting persons to visit Jefferson Davis; also, what was your own custom in the matter prior to turning over the command.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

WASHINGTON, D. C., *November 16, 1866.*

Bvt. Maj. Gen. E. D. TOWNSEND, *Assistant Adjutant-General:*

SIR: In reply to your communication of yesterday's date, desiring to know what instructions were turned over by me to General Burton upon being relieved from command of Fort Monroe, Va., I have the honor to inclose herewith copies of cipher telegram from Washington, D. C., 9 p. m., July 22, 1865, signed Edwin M. Stanton (A*); letter of December 4, 1865, signed E. D. Townsend, assistant adjutant-general (B†); and letter of May 19, 1866, signed E. D. Townsend, assistant adjutant-general (C‡), the original copies of which were turned over to General Burton on the 3d of September, 1866.

In regard to my own custom in the matter of allowing persons to visit Jefferson Davis I have the honor to state that until he was paroled, May 25, 1866, the only persons permitted to visit him were the Reverend Mr. Minnigerode, Mrs. Davis, and the Hon. Hugh McCulloch, Secretary of the Treasury. After he was allowed the freedom of the grounds of the fort during the daytime his counsel were authorized to visit him—Messrs. Charles O'Conor, George Shea, William B. Reed, [William] George Brown, E. A. Vansicle, T. H. Edsall, Thomas G. Pradt, James T. Brady, and Burton N. Harrison. Persons applying at the gate for permission to come into the fort to visit Mr. or Mrs. Davis I made it a rule to refuse unless they were relatives of the family, and in no way connected with the press.

I am, sir, very respectfully, your obedient servant,

NELSON A. MILES,
Colonel Fortieth U. S. Infantry.

FORT MONROE, VA., *November 21, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be gradually improving. Though not increasing in muscular strength he is evidently better and less nervous than at my last report.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *November 28, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be somewhat less favorable than on Wednesday last. He is

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* See p. 710. † See p. 821. ‡ See p. 910.

suffering from dyspeptic symptoms, accompanied with torpidity of the liver and severe hemorrhoids. He is, however, gaining in muscular strength.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *December 5, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as gradually but decidedly improving. He still complains of dyspeptic symptoms, but he is evidently better and stronger than at my last report.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

WAR DEPARTMENT, *Washington City, December 8, 1866.*

Judge-Advocate-General HOLT:

GENERAL: The President desires to be furnished with the testimony referred to in your report of the 2d of May, 1865, a copy of which is hereto attached.* You will please make report of the same at your earliest convenience to this Department.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

FORT MONROE, VA., *December 12, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be gradually but surely improving.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

BUREAU OF MILITARY JUSTICE, *December 15, 1866.*

Hon. E. M. STANTON, *Secretary of War:*

I have the honor to acknowledge the receipt of your note of the 8th instant, in which you advise me that the President desires to be furnished with the testimony referred to in my report of the 2d of May, 1865, and direct that I will communicate the same to you at my earliest convenience. In reply, I have the honor to submit as follows:

The report indicated of May 2, 1865, was in response to a request of the President of the same date:

To be furnished with a list of the persons, late in Canada and Richmond, against whom there is evidence of complicity or procurement in the murder of the late President, Abraham Lincoln, and the attempted assassination of William H. Seward—

* See indorsement embodied in Holt to Stanton, December 15, p. 977.

And such report was expressed in the following terms:

BUREAU OF MILITARY JUSTICE, *May 2, 1865.*

Respectfully returned with report that the testimony which has been under consideration by this Bureau indicates that Jefferson Davis, George N. Sanders, Beverly Tucker, Jacob Thompson, William C. Cleary, and Clement C. Clay were in complicity with the assassins and their accomplices who committed the crimes referred to.

J. HOLT,
Judge-Advocate-General.

I have now to state that the testimony alluded to as having been "under consideration by this Bureau" and as "indicating" the complicity of the parties enumerated was principally that of Richard Montgomery and Dr. James B. Merritt. This testimony had not, it is believed, been at the date mentioned formally embodied in depositions, and for the reason, no doubt, that it was desired that every precaution should be taken to protect the witnesses from such personal risk or danger as might ensue upon their names becoming known. The testimony, therefore, was not at the date of the proclamation technically "on file" in this Bureau. It had, however, been fully communicated to me in all its details, not only through the officers of the Government in whose charge the witnesses then were but by the parties themselves in repeated interviews. As thus made known to me it formed the basis for the judgment submitted in my said report of May 2, and also for the verbal opinion expressed by me to the President prior to the issuing of the proclamation, and subsequently repeated in a deposition given by me before the Judiciary Committee of the House of Representatives, to the effect that by this testimony at least a prima facie case of complicity in the assassination was made out against the parties named.

The statements of Montgomery and Merritt, as thus laid before me and reported upon, were substantially the same as those made by them shortly afterward as witnesses upon the trial of the assassins. Copies of their testimony transcribed from the record of the trial are accordingly herewith transmitted in compliance with the direction contained in your note.*

I have further to state that the evidence of Montgomery and Merritt was strongly corroborated by that of sundry other witnesses introduced upon the trial, to wit, by George B. Hutchinson, Hosea B. Carter, Henry Finegas, John Deveny, Samuel K. Chester, Robert A. Campbell, Lewis F. Bates, Henry von Steinacker, and some others whose testimony is to be found faithfully reported between pages 37 and 47 in the publication of the record compiled by Benn Pitman and authorized by the Government. The examination of these witnesses preliminary to the trial was chiefly conducted by the Assistant Secretary of War and other officers at the War Department, and I am now unable to state what part, if any, of their statements had been under consideration by this Bureau as early as the date of my report of May 2, of that year. It is proper to remark that the evidence of the witness Merritt in regard to the presence of C. C. Clay, jr., in Canada at or about the time mentioned by him in his testimony, and afterward, has since the trial been abundantly confirmed by quite a number of persons whose depositions, taken at this Bureau and in Canada, have already been communicated by me to the Secretary of War in official reports.

* Inclosures not found, but see the "Trial of the Conspirators," compiled by Benn Pitman and published by authority of the Secretary of War, pp. 24, 26, 28, 35, 37.

It is to be observed that the military commission, after a long and patient investigation, were brought to precisely the same conclusion in regard to the complicity of Davis, Clay, and their confederates, in the plot of assassination, as was expressed by the President in his proclamation; thus by their serious and final judgment as a judicial body fully sustaining the action of the Executive. The manner and the measure of the guilt of these parties, as declared by the President, has thus become matter of solemn record, and this record stands unimpeached.

In view of the facts, comparatively recently made known, which, in discrediting the testimony of certain persons brought forward by Sanford Conover to depose to the complicity of Davis in the assassination, have tended also to discredit his own testimony as a witness upon the trial of Payne and his associates, it becomes proper in conclusion to add that at the date of my said report of May 2, 1865, the existence even of Conover was not known to me, nor did it become known till some days after the trial had commenced. His evidence therefore formed no part of the testimony referred to in this report as "under consideration" by this Bureau, and did not, of course, enter into the judgment formed and expressed by me thereon. In this connection also it may be well to note the fact that the testimony of this witness thus discredited did not bear at all upon the question of the guilt of the parties condemned by the commission as immediately concerned in the assassination, but was corroborative only of the evidence of Montgomery and Merritt as to the general conspiracy in Canada.

J. HOLT,
Judge-Advocate-General.

FORT MONROE, VA., *December 19, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jeff. Davis to be gradually but surely improving.

Your obedient servant,

TIMOTHY E. WILCOX,
Acting Assistant Surgeon, U. S. Army.

WAR DEPARTMENT, *Washington City, December 20, 1866.*

Brig. Gen. J. HOLT, *Judge-Advocate-General:*

GENERAL: I deem it my duty respectfully to submit the following report as an appropriate addenda or finality to the vindication of yourself from the calumnies connected with the Conover testimony as heretofore published: The letters, &c., which were made the ground of these calumnies and which appeared as original matter in the New York Herald, and were afterward copied by the rebel sympathizing papers, were, with the exception of two brief notes written by yourself, pronounced authoritatively at the time to be sheer fabrications, manufactured and skillfully adjusted in dates, statements, &c., to sustain this infamous raid on the character of the Bureau of Military Justice. Still the Herald editor continued the publication of these and similar letters as genuine, with opprobrious imputations, and declared that he was in no way indebted to Conover for these documents. On the 23d of September, 1866, Campbell, as appears by the note now

before me addressed to the editor of the Herald, informed him distinctly that the statements made in the letter purporting to have been written by him (Campbell) from Saint Albans on 19th of November, 1865, to Conover were false in every particular, yet of this information the Herald took no notice whatever. All these letters save two are now in my possession. After repeated applications by the U. S. officer and refusals the Herald editor, in order to relieve himself from being subpœnaed to produce them on the trial of Conover for perjury, now pending in Washington, finally gave them up. The two letters withheld are those signed S. Conover, one addressed to Patten, dated Ephrata Mountain House, June 8, 1866, the other to Brigadier-General Holt, Judge-Advocate-General, dated Philadelphia, December 13, 1866, and professing to have inclosed within it a letter to Conover from M. N. Harris. In a note of October 5, instant, relative to the missing letters, the managing editor of the Herald says: "Whether they had been brushed away by the office boys and ultimately thrown into the waste-basket or were purloined I am unable to say." That these very important letters, which Conover declares he never wrote, should be missing is significant and suggestive. The letters in my hands I have carefully examined, having before me the genuine handwriting of Conover, Campbell, and Snevel with which to make comparisons, and the result is a conviction that the letters are all undoubtedly fabrications, viz: The letter from Snevel to Conover, dated Westchester House, November 14, 1865, was certainly not written by Snevel, who under oath has pronounced it a forgery, nor by Campbell, but manifestly by Conover, the handwriting comparing favorably with the first written by him to yourself of date July 6, 1865, and published by you in your vindication. The two letters purporting to have been written by Campbell to Conover, and which were so criminative of yourself, and have been proven by the oath of Campbell to be forgeries, were not written by Campbell nor Snevel, but are apparently in the handwriting of a female. One of these letters is dated Saint Albans, Vt., November 19, 1865, and is inclosed in an envelope post-marked Saint Albans, November 30, 1865, addressed to Sanford Conover, esq., Washington, D. C., and this address is in the handwriting of Campbell, who was in Saint Albans about the date last named, thus proving that Conover substituted the fabricated letter for a genuine one, but retained the genuine envelope. The letter signed M., dated April 27, 1866, was evidently written by the same hand that wrote the two letters signed Campbell, and M. is probably intended to represent Mason, who is mentioned in the letter signed Carter, dated April 27, 1866, but both letters are palpable fabrications, for Carter professed to write from Baltimore, introducing Mason to Conover, and M. writes to Conover from New York on the same day, saying he had been looking for Conover all day; that Campbell had divulged, &c., but Campbell did not divulge to Colonel Turner until the 29th, two days afterward. That Conover was the author or instigator of the two last-named letters is proven by the fact that the letter signed M. is inclosed in an Astor House envelope which I addressed to him April 27, inclosing a note asking him to call and see me, thus showing the same substitution and use of a genuine envelope for a false purpose as had occurred in the case of Campbell's letter. The Herald editor also gave up two other letters which he did not find it convenient to publish, and which unmistakably disclose that Conover furnished these fabricated letters to the Herald, and for a consideration. These letters are dated Washington, August 20 and September 12, 1866, and both are signed John McGill. Both of these letters are positively in the handwriting of Conover; both purport to inclose communi-

cations and papers for publication in the Herald, which the writer says are sent by "my wife," and adds, "the Herald editor will give her what they are worth." This McGill, whose name was thus used by Conover, is one of the witnesses whom Conover suborned. He is a peddler in New York. That the letters were written by Conover is apparent to the naked eye, and they stamp with falsehood the announcement in the Herald that it was in no way indebted to Conover for these documents. Such are the prominent characteristics of these false and fabricated letters which have been published throughout the land as the sole basis for the slanders with which you have been so persistently pursued.

I have the honor to be, very respectfully, your obedient servant,

L. C. TURNER,
Judge-Advocate.

FORT MONROE, VA., *December 26, 1866.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be slowly but surely improving.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *January 2, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no appreciable change in the physical condition of state prisoner Jefferson Davis.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *January 9, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the general health of state prisoner Davis as improving. For three or four days he has been troubled with a slight attack of catarrh.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *January 16, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as improving. He appears to be in the enjoyment of better health than at any time during the past year.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *January 23, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the general health of state prisoner Jefferson Davis to be much as on Wednesday last. He complains, however, of rheumatic pains in different parts of his person and neuralgic affection of the head. These I attribute to the fact of his having been compelled to remain in the house in consequence of the snow covering the ground, thereby depriving him of his accustomed exercise.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *January 30, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as being less favorable than on Wednesday last. He complains of fullness of head, pains in the limbs and want of appetite, together with restlessness at night. This is, however, due in all probability to the necessary confinement to his quarters consequent upon the cold weather.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *February 6, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be somewhat better than at last report, though he still complains of restlessness at night, some want of appetite, costiveness, and neuralgic pains of the head and upper extremities.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *February 13, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be somewhat better than on the 6th instant. The weather having moderated, affording him better opportunity for out-door exercise, has been of decided benefit to him.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *February 20, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis as rather worse than usual. He has been quite unwell for four or five days from

the effects of catarrhal fever. He has suffered, too, from neuralgia of the head and face.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *February 27, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as being somewhat less favorable than at my last report. He has been quite unwell during the past week, having complained much of severe headache and muscular prostration. His rest has been very uneven. He to-day seems better than he was and is apparently on the mend.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *March 6, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis as gradually improving. The inclement weather of the last week, having confined him to his quarters, has made him less lively than before and considerably depressed his general spirits.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *March 13, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I report the health of state prisoner Jefferson Davis to be somewhat better than at my last report.

Respectfully, your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *March 20, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be comparatively good. He gives indication of more nervous excitability than usual, attributable to the want of exercise, which the inclement weather during the month has prevented him from indulging in.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *March 27, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE.
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be as at last report. The inclement weather, having confined him to his quarters, has had the effect of making him look more haggard than when taking daily out-door exercise.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *April 10, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report the health of state prisoner Jefferson Davis to be comparatively good.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *April 17, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE,
Fort Monroe, Va.:

SIR: I respectfully report no appreciable change in the health or physical condition of state prisoner Jefferson Davis.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

FORT MONROE, VA., *May 1, 1867.*

COMDG. OFFICER MIL. DIST. OF FORT MONROE:

SIR: I respectfully report no appreciable change in the physical condition of state prisoner Jefferson Davis.

Your obedient servant,

GEO. E. COOPER,
Surgeon, U. S. Army.

MAY 1, 1867.

The President of the United States to Brig. Gen. Henry S. Burton, and to any other person or persons having the custody of Jefferson Davis, greeting:

We command you that you have the body of Jefferson Davis, by you imprisoned and detained, as it is said, together with the cause of such imprisonment and detention, by whatsoever name the said Jefferson Davis may be called or charged, before our Circuit Court of the United States for the District of Virginia at the next term thereof at Richmond, in the said district, on the second Monday of May, 1867, at the opening of the court on that day, to do and receive what shall then and there be considered concerning the said Jefferson Davis.

Witness Salmon P. Chase, our Chief Justice of our Supreme Court of the United States, this the first day of May, in the year one thousand eight hundred and sixty-seven.

[SEAL.] W. H. BARRY,
Clerk of the Circuit Court of the United States for the District of Virginia.

A true copy:

W. A. DUNCAN,
Deputy Marshal.

Allowed May 1, 1867.

JOHN UNDERWOOD,
District Judge.

In obedience to the exigency of the within writ I now here produce before the within named Circuit Court of the United States for the District of Virginia the body of Jefferson Davis, at the time of the service of the writ held by me in imprisonment at Fort Monroe under the military authority of the United States, and submit and surrender the said Jefferson Davis to the custody, jurisdiction, and control of the said court, as I am directed to do by order of the President of the United States under date of May 8, 1867.*

H. S. BURTON,
Colonel Fifth Artillery, Brevet Brigadier-General, U. S. Army.

UNITED STATES CIRCUIT COURT, DISTRICT OF VIRGINIA:

I certify the above to be a true and correct copy of the return of General H. S. Burton on the original writ of which the within is a copy, now on file and of record in this office.

Witness my hand and seal of said court at the city of Richmond, in said district, this 14th day of May, A. D. 1867.

[SEAL.] W. H. BARRY,
Clerk.

OFFICE OF U. S. DISTRICT ATTORNEY FOR VIRGINIA,
Norfolk, May 4, 1867.

Hon. EDWIN M. STANTON, *Secretary of War, Washington:*

SIR: The U. S. Circuit Court for the District of Virginia will meet at Richmond Monday next. Will you be pleased to give me an order upon the commandant at Fort Monroe, directing him to surrender Jefferson Davis to the U. S. marshal, or his deputies, upon any process which may issue from the Federal court?

I have the honor to be, with great respect, your obedient servant,
L. H. CHANDLER,
U. S. District Attorney for Virginia.

[First indorsement.]

MAY 4, 1867.

Respectfully referred to the President for his instructions.
EDWIN M. STANTON.

[Second indorsement.]

MAY 7, 1867.

Returned to the honorable the Secretary of War, who will at once issue the order requested by District Attorney Chandler.
ANDREW JOHNSON.

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*See p. 985.

[Third indorsement.]

Referred to the Adjutant-General to issue order as above directed by the President, one copy to be addressed to the commandant of Fortress Monroe, another, under cover, to the U. S. district attorney.

EDWIN M. STANTON,
Secretary of War.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 8, 1867.

Hon. L. H. CHANDLER, *U. S. District Attorney for Virginia:*
(Ebbitt House, City of Washington.)

SIR: I have the honor to transmit herewith inclosed a copy of an order from the President to the commanding officer of Fort Monroe, to surrender Jefferson Davis to the U. S. marshal or his deputies, upon any process which may issue from the Federal court in Virginia, agreeably to your request of the 4th instant to the Secretary of War.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant-General.

[Indorsement.]

MAY 8, 1867.

Received.

L. H. CHANDLER,
U. S. District Attorney for Virginia.

[Inclosure.]

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, May 8, 1867.

Bvt. Brig. Gen. H. S. BURTON, U. S. Army, or
COMMANDING OFFICER FORT MONROE,
Old Point Comfort, Va.:

SIR: The President of the United States directs that you surrender Jefferson Davis, now held in confinement under military authority at Fort Monroe, to the U. S. marshal or his deputies, upon any process which may issue from the Federal court in the State of Virginia.

You will report the action taken by you under this order, and forward a copy of any process which may be served upon you to this office.

By order of the President:

E. D. TOWNSEND,
Assistant Adjutant-General.

WAR DEPARTMENT,
Washington City, May 12, 1867—10 a. m.

Major-General SCHOFIELD, *Commanding, &c., Richmond:*

The Hon. Mr. Evarts, of New York, special counsel employed by the Attorney-General in the case of Davis, goes to Richmond to-day by way of Fredericksburg. I have given him a letter to you and commended him to your kind attention.

EDWIN M. STANTON,
Secretary of War.

RICHMOND, VA., *May 15, 1867.*

Bvt. Maj. Gen. E. D. TOWNSEND,
Assistant Adjutant-General, Washington, D. C.

GENERAL: I have the honor to report that, pursuant to instructions from the President of the United States, under date of May 8, 1867, I obeyed the writ issued by the U. S. circuit court, in session in this city, under date of May 1, 1867, to produce before said court on the second Monday of May, 1867, the body of Jefferson Davis, a prisoner in my custody at Fort Monroe, Va., and that on that day (the 13th instant) I was released from further custody of the prisoner Jefferson Davis by the Hon. John Underwood, district judge.

A copy of said writ and of my return is herewith inclosed.*

Very respectfully, your obedient servant,

H. S. BURTON,
Colonel Fifth Artillery, Brevet Brigadier-General, U. S. Army.

[Indorsement.]

ADJUTANT-GENERAL'S OFFICE, *May 16, 1867.*

Respectfully submitted to the Secretary of War.

E. D. TOWNSEND,
Assistant Adjutant-General.

Abstract from monthly returns of the principal U. S. military prisons.

[NOTE.—The returns from which this abstract is compiled were furnished to the Commissary-General of Prisoners in compliance with circular of July 7, 1862, for which see Vol. IV, this series, page 152. Prior to the issue of said circular, separate and specific returns of prisoners were not required by the regulations of the War Department. Even during the period covered by this abstract prisoners other than those herein embraced were held in the custody of provost-marshals, incarcerated in civil prisons or treated in hospitals, of whom no returns were rendered. The following tables, therefore, afford only a partial exhibit of the number of prisoners held by the U. S. authorities. For the same reason the deaths and other changes among the prisoners so held are not fully presented. The "sick" and "citizens" under the head of "memoranda" are included in the other columns. Some of the returns used in the compilation do not distinguish between ordinary prisoners of war and citizens held in confinement.]

JULY, 1862.

Prison.	On hand June 30, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	638	157	795	.....	.....	14	27	24	65	63	.....
Camp Butler, Ill	2,186	.....	2,186	.....	.....	41	5	.....	46	191	.....
Camp Chase, Ohio	1,430	296	1,726	47	.....	7	.....	8	62	29	550
Camp Douglas, Ill	7,847	3	7,850	.....	.....	146	45	6	197	589	.....
Camp Morton, Ind	4,018	198	4,216	.....	.....	21	5	.....	26	120	.....
Fort Columbus, N. Y	486	.....	486	472	.....	13	1	.....	486	.....	.....
Fort Delaware, Del	1,260	2,174	3,434	.....	3,059	20	.....	.....	3,079	.....	.....
Fort Lafayette, N. Y	.....	.....	33	.....	.....	.....	.....	.....	.....	.....	33
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Warren, Mass	114	100	214	.....	201	.....	.....	2	203	3	.....
Johnson's Island, Ohio	1,141	43	1,184	30	.....	4	.....	3	37	21	.....
Saint Louis, Mo	303	317	620	132	.....	14	.....	49	195	6	.....

a Return not on file.

*See p. 983.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

AUGUST, 1862.

Prison.	On hand July 31, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	730	570	1,300	.....	.....	18	.....	19	37	41	.....
Camp Butler, Ill	2,140	.....	2,140	.....	.....	25	3	.....	28	140	.....
Camp Chase, Ohio	1,669	292	1,961	.....	1,096	4	.....	.....	1,100	22	605
Camp Douglas, Ill	7,653	240	7,893	.....	.....	117	2	444	563	558	.....
Camp Morton, Ind	4,190	64	4,254	4,122	.....	26	.....	.....	4,148	103	.....
Fort Delaware, Del	355	127	482	14	.....	13	.....	314	341	.....	.....
Fort Lafayette, N. Y	33	11	44	.....	.....	.....	.....	3	3	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Warren, Mass	3	.....	3	.....	.....	.....	.....	.....	.....	2	.....
Johnson's Island, Ohio	1,149	332	1,481	.....	6	2	.....	11	19	21	26
Saint Louis, Mo	425	758	1,183	395	.....	3	6	220	624	1	.....

SEPTEMBER, 1862.

Prison.	On hand Aug. 31, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,256	568	1,824	58	819	9	1	87	974	158	.....
Camp Butler, Ill	2,112	.....	2,112	.....	1,777	5	.....	311	2,093	4	.....
Camp Chase, Ohio	861	506	1,367	421	193	5	7	40	666	29	699
Camp Douglas, Ill	7,335	72	7,407	3	7,192	26	1	134	7,356	1	.....
Camp Morton, Ind	103	.....	103	.....	98	3	.....	2	103	.....	.....
Fort Delaware, Del	68	2,402	2,470	.....	.....	7	.....	104	111	.....	59
Fort Lafayette, N. Y	41	21	62	2	.....	.....	.....	19	21	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla	.....	42	42	.....	.....	.....	.....	.....	.....	.....	42
Fort Warren, Mass	3	.....	3	2	.....	.....	.....	.....	2	.....	.....
Johnson's Island, Ohio	1,462	487	1,949	1,122	3	1	.....	1	1,127	32	31
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

OCTOBER, 1862.

Prison.	On hand Sept. 30, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	850	341	1,191	110	.....	22	.....	78	210	204	.....
Camp Butler, Ill	19	.....	19	.....	16	.....	.....	2	18	.....	.....
Camp Chase, Ohio	701	350	1,051	38	196	6	.....	.....	240	37	738
Camp Douglas, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Columbus, N. Y	4	1	6	1	.....	.....	.....	4	5	.....	5
Fort Delaware, Del	2,532	50	2,582	.....	2,298	14	.....	176	2,488	23	45
Fort Lafayette, N. Y	41	13	54	.....	.....	.....	.....	17	.....	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla	42	35	77	.....	.....	.....	.....	.....	.....	.....	69
Fort Warren, Mass	1	15	16	.....	1	.....	.....	.....	1	.....	15
Johnson's Island, Ohio	822	89	911	.....	4	9	.....	5	18	34	33
Old Capitol, D. C	.....	.....	99	.....	.....	.....	.....	.....	.....	.....	96
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

NOVEMBER, 1862.

Prison.	On hand Oct. 31, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	981	311	1,292	381	201	41	7	127	757	56	.....
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	811	232	1,043	.....	.....	6	.....	595	601	30	603
Camp Douglas, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	84	39	123	.....	.....	.....	.....	1	1	.....	24
Fort Lafayette, N. Y	37	12	49	.....	.....	.....	.....	8	8	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla	77	8	85	.....	.....	.....	.....	20	20	.....	.....
Fort Warren, Mass	15	.....	15	.....	1	.....	.....	14	15	.....	15
Johnson's Island, Ohio	893	345	1,238	.....	997	12	.....	24	1,033	42	98
Old Capitol, D. C. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

DECEMBER, 1862.

Prison.	On hand Nov. 30, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	535	259	794	53	46	35	.....	15	149	126	.....
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	442	314	756	.....	460	3	.....	.....	463	49	28
Camp Douglas, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	106	17	123	.....	103	3	.....	2	108	.....	1
Fort Lafayette, N. Y	41	17	58	.....	.....	.....	.....	20	20	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla	65	.....	65	.....	.....	.....	.....	20	20	.....	45
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	205	108	313	1	.....	6	.....	37	44	32	119
Old Capitol, D. C. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

JANUARY, 1863.

Prison.	On hand Dec. 31, 1862.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	645	856	1,501	61	.....	89	1	66	217	364	.....
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	293	587	880	.....	144	2	2	.....	148	83	279
Camp Douglas, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	5	12	17	.....	.....	.....	.....	.....	.....	2	.....
Fort Lafayette, N. Y	38	3	41	.....	.....	.....	.....	8	8	.....	.....
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla	45	1	46	.....	.....	.....	.....	7	7	.....	46
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	260	52	312	.....	.....	4	.....	10	14	42	105
Old Capitol, D. C. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

FEBRUARY, 1863.

Prison.	On hand Jan. 31, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,294	275	1,569	75	.....	132	1	52	260	348	.....
Camp Butler, Ill	1,665	.....	1,665	.....	.....	103	.....	141	244	129	.....
Camp Chase, Ohio	732	344	1,076	1	.....	11	.....	157	169	61	200
Camp Douglas, Ill	.....	3,884	3,884	.....	.....	387	6	51	444	623	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	17	13	30	.....	.....	.....	.....	.....	.....	.....	.....
Fort Lafayette, N. Y	33	19	52	1	.....	.....	.....	5	6	.....	52
Fort McHenry, Md. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Pickens, Fla. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	308	58	366	.....	.....	11	.....	8	19	33	98
Old Capitol, D. C. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

MARCH, 1863.

Prison.	On hand Feb. 28, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,309	210	1,519	282	866	68	.....	180	1,396	43	.....
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	907	276	1,183	1	639	8	1	.....	649	22	90
Camp Douglas, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	36	2	38	7	.....	.....	.....	1	8	.....	.....
Fort Lafayette, N. Y	46	16	62	2	.....	.....	.....	.....	2	.....	54
Fort McHenry, Md	522	204	726	198	1	.....	.....	4	203	1	71
Fort Pickens, Fla	28	11	39	.....	.....	.....	.....	.....	.....	.....	37
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	347	19	366	.....	240	6	.....	14	260	5	90
Old Capitol, D. C. *b*	470	593	1,063	105	537	3	.....	159	804	.....	585
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

APRIL, 1863.

Prison.	On hand Mar. 31, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	123	684	807	324	.....	15	1	9	349	41	132
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	534	421	955	479	39	3	.....	.....	521	30	117
Camp Douglas, Ill	332	48	380	.....	.....	33	8	.....	41	.....	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	30	565	595	602	.....	4	.....	1	607	57	27
Fort Lafayette, N. Y	60	31	91	49	.....	.....	.....	4	53	.....	75
Fort McHenry, Md	217	382	599	328	.....	.....	.....	18	346	1	89
Fort Pickens, Fla	39	.....	39	.....	8	.....	.....	13	21	.....	37
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	106	17	123	.....	56	1	.....	7	64	3	40
Louisville, Ky	.....	1,225	1,225	72	869	1	4	63	1,009	29	106
Old Capitol, D. C. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

a Return not on file.

b Includes U. S. soldiers under sentence of court-martial, as follows: 60 present, 105 transferred, and 16 released.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

MAY, 1863.

Prison.	On hand Apr. 30, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Memoranda.		
				Other stations.	Delivery or exchange.				Total loss.	Sick.	Citizens.
Alton, Ill	458	1,017	1,475	43	.....	13	2	66	124	82	190
Camp Butler, Ill	147	.....	147	.....	78	51	1	15	145	2	.....
Camp Chase, Ohio	434	519	953	.....	385	6	.....	.....	391	23	174
Camp Douglas, Ill	339	.....	339	.....	226	42	10	9	287	38	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	46	1,209	1,255	1,198	.....	5	.....	2	1,205	.....	33
Fort Lafayette, N. Y	38	25	63	3	.....	.....	.....	3	6	.....	54
Fort McHenry, Md	384	1,166	1,550	1,133	.....	.....	.....	28	1,161	6	100
Fort Pickens, Fla	18	.....	18	.....	.....	.....	.....	.....	.....	.....	18
Fort Warren, Mass. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Johnson's Island, Ohio	59	13	72	.....	19	2	.....	11	32	.....	38
Louisville, Ky	269	945	1,214	221	892	1	.....	58	1,172	13	86
Old Capitol, D. C	378	856	1,234	3	642	6	.....	253	904	.....	404
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

JUNE, 1863.

Prison.	On hand May 31, 1863.	Joined.	Transferred.			Died.	Escaped.	Released.	Memoranda.		
			Total.	Other stations.	Delivery or exchange.				Total loss.	Sick.	Citizens.
Alton, Ill	1,351	353	1,704	8	1,192	27	.....	75	1,302	58	215
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	562	553	1,115	547	7	14	.....	167	735	22	200
Camp Douglas, Ill	52	.....	52	.....	.....	1	.....	2	3	17	.....
Camp Morton, Ind. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	51	3,686	3,737	.....	.....	66	1	181	248	248	44
Fort Lafayette, N. Y	57	53	110	2	29	.....	.....	1	32	.....	83
Fort McHenry, Md	1,195	480	1,675	473	.....	.....	1	16	490	4	126
Fort Pickens, Fla	18	.....	18	.....	.....	.....	.....	.....	.....	.....	.....
Fort Warren, Mass	.....	1	1	.....	.....	.....	.....	.....	.....	.....	1
Johnson's Island, Ohio	40	766	806	17	.....	3	.....	6	26	14	44
Louisville, Ky	42	616	658	43	378	.....	.....	50	471	12	84
Old Capitol, D. C	340	928	1,268	6	715	.....	.....	313	1,034	.....	323
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued

JULY, 1863.

Prison.	On hand June 30, 1863.	Joined.	Transferred.							Memoranda.	
			Total.	Other stations.	Delivery or exchange.	Died.	Escaped.	Released.	Total loss.	Sick.	Citizens.
Alton, Ill	402	1,066	1,468	8	.....	24	.....	142	174	82	231
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	380	2,969	3,340	902	.....	9	.....	43	954	17	159
Camp Douglas, Ill	49	.....	49	.....	.....	1	.....	1	2	18	.....
Camp Morton, Ind	111	1,165	1,276	6	.....	16	2	.....	24	39	3
Fort Columbus, N. Y	15	.....	15	.....	.....	.....	.....	.....	.....	.....	.....
Fort Delaware, Del	3,673	8,922	12,595	743	2,462	111	.....	297	3,613	300	52
Fort Lafayette, N. Y	78	44	122	74	.....	.....	.....	2	76	.....	122
Fort McHenry, Md	109	6,848	6,957	6,881	.....	1	1	20	6,903	10	41
Fort Pickens, Fla	18	3	21	.....	.....	.....	.....	3	3	.....	18
Fort Warren, Mass	.....	120	120	.....	.....	.....	.....	6	6	.....	74
Johnson's Island, Ohio	806	904	1,710	33	.....	6	.....	5	44	35	40
Louisville, Ky	187	1,530	1,717	1,147	.....	2	2	128	1,279	.....	104
Old Capitol, D. C	234	1,026	1,260	83	.....	.....	1	167	251	.....	286
Point Lookout, Md	.....	136	136	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

AUGUST, 1863.

Prison.	On hand July 31, 1863.	Joined.	Transferred.						Memoranda.	
			Total.	Other stations.	Delivery or exchange.	Died.	Escaped.	Released.	Total loss.	Sick.	Citizens.
Allegheny City Penitentiary, Pa.	.....	118	118	6	.....	.....	.....	.....	6	.....	.....
Alton, Ill	1,292	6	1,298	92	.....	38	6	59	195	222	190
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	2,386	936	3,322	2,960	.....	19	.....	30	2,109	34	57
Camp Douglas, Ill	47	3,156	3,203	3	.....	3	1	.....	7	50	.....
Camp Morton, Ind	1,252	1,808	3,060	1,142	.....	26	6	336	1,510	98	13
Fort Columbus, N. Y	15	.....	15	1	.....	.....	.....	.....	1	.....	.....
Fort Delaware, Del	8,982	154	9,136	90	.....	169	8	47	314	350	77
Fort Lafayette, N. Y	46	24	70	.....	.....	.....	.....	18	18	.....	70
Fort McHenry, Md	54	274	328	16	.....	.....	.....	17	33	13	29
Fort Pickens, Fla	18	.....	18	.....	.....	.....	.....	13	13	.....	18
Fort Warren, Mass	114	.....	114	.....	.....	.....	4	3	7	2	70
Johnson's Island, Ohio	1,668	335	2,003	173	.....	5	.....	8	186	46	39
Louisville, Ky	438	1,152	1,590	852	.....	4	2	345	1,203	22	156
Old Capitol, D. C	1,009	458	1,467	786	.....	2	.....	121	909	.....	349
Point Lookout, Md	136	1,691	1,827	.....	.....	.....	5	3	8	19	.....
Saint Louis, Mo	.....	836	836	1,201	.....	17	2	106	1,326	163	168
Wheeling, W. Va	.....	224	224	168	.....	.....	.....	10	178	.....	130

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

SEPTEMBER, 1863.

Prison.	On hand Aug. 31, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Allegheny City Penitentiary, Pa.	112	.....	112	.....	.....	.....	.....	.....	.....	.....	.....
Alton, Ill.	1,106	161	1,267	21	.....	75	.....	15	111	120	204
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	1,213	927	2,140	13	.....	21	19	12	65	39	124
Camp Douglas, Ill.	3,196	1,937	5,133	2	.....	17	.....	2	21	102	.....
Camp Morton, Ind	1,550	51	1,601	2	.....	23	19	70	114	111	24
Fort Columbus, N. Y	14	271	285	203	.....	2	.....	67	272	.....	.....
Fort Delaware, Del.	8,822	19	8,841	1,977	.....	327	10	37	2,351	400	111
Fort Lafayette, N. Y	52	14	66	.....	.....	.....	.....	50	50	.....	66
Fort McHenry, Md.	196	246	442	160	.....	.....	.....	32	192	4	53
Fort Pickens, Fla	3	8	11	.....	.....	.....	.....	1	1	.....	3
Fort Warren, Mass.	107	52	159	.....	.....	.....	.....	6	6	.....	106
Johnson's Island, Ohio	1,817	369	2,186	4	9	11	.....	7	31	47	31
Louisville, Ky.	387	1,121	1,508	713	.....	3	1	651	1,368	23	77
Old Capitol, D. C	558	545	1,103	306	.....	.....	.....	290	596	.....	411
Point Lookout, Md	1,819	2,123	3,942	7	.....	14	11	1	33	50	.....
Saint Louis, Mo	533	364	897	189	.....	10	.....	92	291	97	319
Wheeling, W. Va. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

OCTOBER, 1863.

Prison.	On hand Sept. 30, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Allegheny City Penitentiary, Pa.	112	.....	112	.....	.....	.....	.....	.....	.....	.....	.....
Alton, Ill.	1,156	321	1,477	6	.....	35	2	6	49	130	210
Camp Butler, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	2,073	260	2,333	110	.....	26	1	45	182	31	167
Camp Douglas, Ill.	5,112	1,003	6,115	2	.....	80	59	1	142	252	.....
Camp Morton, Ind.	1,487	1,035	2,522	21	.....	36	10	7	74	261	37
Fort Columbus N. Y	13	244	257	257	.....	.....	.....	.....	257	.....	.....
Fort Delaware, Del.	6,490	8	6,498	3,125	.....	377	4	5	3,511	625	49
Fort Lafayette N. Y	16	20	36	.....	.....	.....	.....	8	8	.....	26
Fort McHenry, Md.	250	130	380	19	.....	.....	14	22	55	6	47
Fort Mifflin, Pa	177	19	196	.....	.....	.....	10	18	28	8	8
Fort Pickens, Fla	10	.....	10	8	.....	.....	.....	.....	8	.....	2
Fort Warren, Mass.	153	1	154	.....	.....	1	.....	29	30	.....	101
Fort Wood, N. Y	.....	127	127	20	.....	.....	.....	.....	20	101	.....
Johnson's Island, Ohio	2,155	472	2,627	384	.....	14	.....	72	470	104	29
Louisville, Ky.	100	2,197	2,297	2,068	.....	3	2	193	2,266	3	54
McLean Barracks, Ohio.	.....	98	98	16	.....	.....	2	38	56	3	32
Old Capitol, D. C	507	790	1,297	553	.....	4	3	178	738	.....	353
Point Lookout, Md	3,909	3,676	7,585	439	.....	33	2	1	475	150	.....
Saint Louis, Mo	460	568	1,028	164	.....	20	10	83	277	200	266
Wheeling, W. Va. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

NOVEMBER, 1863.

Prison.	On hand Oct. 31, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Memoranda.		
				Other stations.	Delivery or exchange.				Total loss.	Sick.	Citizens.
Allegheny City Penitentiary, Pa.	112	.....	112	.....	.....	.....	.....	.....	.....	.....	.....
Alton, Ill	1,428	173	1,601	2	.....	37	4	19	62	134	210
Camp Butler, Ill	.....	18	18	.....	.....	.....	.....	.....	.....	.....	18
Camp Chase, Ohio	2,151	561	2,712	65	.....	19	.....	43	127	25	157
Camp Douglas, Ill	5,973	45	6,018	13	.....	100	27	6	146	207	4
Camp Morton, Ind	2,448	706	3,154	.....	.....	68	2	9	79	328	29
Fort Delaware, Del	2,987	33	3,020	5	26	156	1	10	198	600	54
Fort Lafayette, N. Y	28	7	35	1	.....	.....	.....	.....	1	.....	25
Fort McHenry, Md	325	82	407	195	.....	1	1	8	205	13	46
Fort Mifflin, Pa	168	20	188	18	.....	.....	3	55	76	8	5
Fort Pickens, Fla	2	.....	2	.....	.....	.....	.....	.....	.....	.....	2
Fort Warren, Mass	124	7	131	.....	.....	.....	.....	1	1	.....	74
Fort Wood, N. Y	107	1	108	.....	.....	3	.....	.....	3	73	.....
Johnson's Island, Ohio	2,156	258	2,414	1	12	16	.....	4	33	69	28
Louisville, Ky	31	574	605	514	.....	.....	.....	28	542	4	43
McLean Barracks, Ohio	42	137	179	77	.....	1	.....	22	100	7	60
Old Capitol, D. C	559	2,204	2,763	1,874	.....	1	.....	114	1,989	.....	281
Point Lookout, Md	7,110	2,261	9,371	380	.....	119	3	2	504	886	8
Saint Louis, Mo	747	158	905	268	.....	20	1	91	380	124	192
Wheeling, W. Va	21	247	268	248	.....	.....	.....	.....	248	1	30

DECEMBER, 1863.

Prison.	On hand Nov. 30, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Memoranda.		
				Other stations.	Delivery or exchange.				Total loss.	Sick.	Citizens.
Allegheny City Penitentiary, Pa.	112	.....	112	.....	.....	.....	.....	1	1	.....	.....
Alton, Ill	1,539	145	1,684	2	.....	70	23	12	107	145	201
Camp Butler, Ill	18	3	21	.....	.....	.....	.....	.....	.....	.....	21
Camp Chase, Ohio	2,585	243	2,828	2	.....	14	.....	49	65	29	123
Camp Douglas, Ill	5,871	3	5,874	.....	.....	57	65	91	213	218	5
Camp Morton, Ind	3,075	297	3,372	.....	5	91	.....	3	99	244	33
Fort Delaware, Del	2,822	37	2,859	5	.....	82	1	6	94	596	51
Fort Lafayette, N. Y	34	40	74	.....	.....	.....	.....	.....	.....	.....	45
Fort McHenry, Md	202	38	240	6	.....	.....	1	2	9	10	46
Fort Mifflin, Pa	112	.....	112	.....	.....	1	3	38	42	7	2
Fort Pickens, Fla	2	2	4	.....	.....	.....	.....	.....	.....	.....	4
Fort Warren, Mass	130	7	137	.....	2	.....	.....	4	6	.....	80
Fort Wood, N. Y	105	1	106	26	.....	2	.....	.....	28	8	.....
Johnson's Island, Ohio	2,381	272	2,653	1	3	18	.....	8	30	78	46
Louisville, Ky	63	6,603	6,666	6,380	20	16	1	44	6,461	45	71
McLean Barracks, Ohio	79	9	88	36	.....	.....	.....	3	39	11	42
New Orleans, La. *a*	.....	369	369	11	.....	3	5	74	93	29	.....
Old Capitol, D. C	774	443	1,217	53	.....	7	2	277	339	.....	307
Point Lookout, Md	8,867	286	9,153	93	502	158	12	4	769	660	12
Rock Island, Ill	.....	5,592	5,592	.....	.....	94	.....	.....	94	245	6
Saint Louis, Mo	488	239	727	3	.....	12	12	72	99	131	205
Wheeling, W. Va	20	231	251	235	.....	.....	.....	.....	235	.....	27

a Includes months of November and December, 1863

Abstract from monthly returns of the principal U. S. military prisons—Continued.

JANUARY, 1864.

Prison.	On hand, Dec. 31, 1863.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or Exchange.					Sick.	Citizens.
Allegheny City Penitentiary, Pa.	111	.....	111	.....	.....	.....	.....	.....	.....	.....	.....
Alton, Ill	1,577	87	1,664	12	.....	84	3	17	116	300	187
Camp Chase, Ohio	2,763	284	3,047	1,001	.....	15	.....	58	1,074	60	123
Camp Douglas, Ill	5,661	1	5,662	.....	.....	53	6	34	93	231	1
Camp Morton, Ind	3,273	6	3,279	13	.....	104	3	1	121	251	33
Fort Columbus, N. Y	.....	8	8	.....	.....	.....	.....	.....	.....	1	.....
Fort Delaware, Del	2,765	2	2,767	24	.....	78	.....	10	112	419	48
Fort Lafayette, N. Y	74	48	122	6	.....	.....	.....	1	7	.....	93
Fort McHenry Md	231	32	263	113	.....	.....	12	15	140	.....	46
Fort Mifflin, Pa	70	.....	70	.....	.....	1	5	40	46	.....	.....
Fort Pickens, Fla	4	20	24	3	.....	.....	.....	.....	3	.....	10
Fort Warren, Mass	131	2	133	.....	.....	.....	.....	1	1	.....	76
Fort Wood, N. Y	78	6	84	65	.....	.....	.....	.....	65	10	.....
Johnson's Island, Ohio	2,623	12	2,635	4	.....	20	3	5	32	62	41
Louisville, Ky	205	856	1,061	928	.....	11	1	28	968	25	66
McLean Barracks, Ohio	49	3	52	18	.....	2	.....	4	24	.....	21
Nashville, Tenn	254	713	967	649	.....	35	2	59	745	126	161
New Orleans, La	276	42	318	.....	.....	.....	.....	7	7	21	.....
Old Capitol, D. C	878	229	1,107	68	21	.....	.....	63	152	.....	290
Point Lookout, Md	8,384	237	8,621	57	.....	138	.....	687	882	534	18
Rock Island, Ill	5,498	2,418	7,916	672	.....	231	1	3	907	635	15
Saint Louis, Mo	628	190	818	140	.....	29	.....	79	248	142	207
Wheeling, W. Va	16	78	94	86	.....	.....	1	.....	87	1	19

FEBRUARY, 1864.

Prison.	On hand Jan. 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or Exchange.					Sick.	Citizens.
Allegheny City Penitentiary, Pa.	111	.....	111	.....	.....	.....	.....	.....	.....	.....	.....
Alton, Ill	1,547	99	1,646	500	.....	54	.....	28	582	102	165
Camp Chase, Ohio	1,968	227	2,195	1,000	.....	18	2	47	1,067	74	112
Camp Douglas, Ill	5,569	38	5,607	.....	.....	54	11	25	90	236	4
Camp Morton, Ind	3,158	57	3,215	.....	.....	69	18	7	94	326	32
Fort Columbus, N. Y	8	78	86	8	.....	.....	.....	.....	8	.....	8
Fort Delaware, Del	2,655	7	2,662	2	.....	42	1	17	62	439	44
Fort Lafayette, N. Y	115	19	134	7	.....	.....	.....	51	58	.....	111
Fort McHenry, Md	123	19	142	5	.....	.....	.....	17	22	.....	35
Fort Mifflin, Pa	24	.....	24	.....	.....	.....	6	.....	6	.....	.....
Fort Pickens, Fla	17	.....	17	10	.....	.....	.....	3	13	.....	7
Fort Warren, Mass	132	30	162	.....	.....	.....	.....	7	7	.....	104
Fort Wood, N. Y	19	.....	19	9	.....	.....	.....	.....	9	10	.....
Johnson's Island, Ohio	2,603	.....	2,603	376	3	17	.....	3	399	55	39
Louisville, Ky	93	946	1,039	843	.....	7	.....	56	906	15	91
McLean Barracks, Ohio	28	20	48	4	.....	.....	2	4	10	.....	23
Nashville, Tenn	222	690	912	691	.....	19	5	41	756	85	128
New Orleans, La	311	82	393	.....	.....	.....	29	9	38	13	.....
Ohio Penitentiary	.....	.....	65	.....	.....	.....	.....	.....	.....	10	1
Old Capitol, D. C	955	260	1,215	400	3	4	1	30	438	.....	278
Point Lookout, Md	7,739	939	8,678	22	.....	128	.....	381	531	539	27
Rock Island, Ill	7,009	591	7,600	8	.....	346	2	11	367	708	19
Saint Louis, Mo	570	252	822	123	1	21	7	48	200	154	154
Wheeling, W. Va	7	185	192	111	.....	.....	2	36	149	.....	1

Abstract from monthly returns of the principal U. S. military prisons—Continued.

MARCH, 1864.

Prison.	On hand Feb. 29, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Allegheny City Penitentiary, Pa.	111	.....	111	111	.....	.....	.....	.....	111	.....	.....
Alton, Ill.	1,064	5	1,069	.....	.....	51	2	6	59	72	136
Camp Chase, Ohio	1,128	476	1,604	773	.....	8	.....	12	793	64	96
Camp Douglas, Ill.	5,517	130	5,647	.....	.....	66	32	89	187	259	1
Camp Morton, Ind	3,121	1	3,122	500	.....	49	.....	3	552	271	29
Fort Columbus, N. Y.	78	.....	78	78	.....	.....	.....	.....	78	.....	8
Fort Delaware, Del.	2,600	3,218	5,818	29	.....	62	1	14	106	567	43
Fort Lafayette, N. Y.	76	37	113	2	.....	.....	.....	28	30	.....	97
Fort McHenry, Md.	120	26	146	2	.....	.....	1	5	8	.....	18
Fort Mifflin, Pa	18	.....	18	.....	.....	1	.....	.....	1	6	.....
Fort Pickens, Fla	5	1	6	.....	.....	.....	.....	.....	.....	.....	5
Fort Warren, Mass	155	17	172	.....	.....	.....	.....	3	3	.....	113
Fort Wood, N. Y.	10	.....	10	.....	.....	.....	.....	.....	.....	10	.....
Johnson's Island, Ohio.	2,206	.....	2,206	.....	.....	10	.....	4	14	50	38
Little Rock, Ark	73	41	114	3	.....	3	.....	16	22	10	37
Louisville, Ky.	133	256	389	221	.....	6	.....	9	236	14	39
McLean Barracks, Ohio	38	2	40	.....	.....	.....	.....	2	2	.....	20
Nashville, Tenn	156	254	410	141	.....	19	1	127	288	61	187
New Orleans, La	343	600	943	.....	.....	5	17	3	25	33	.....
Ohio Penitentiary	65	1	66	65	1	.....	.....	.....	66	.....	1
Old Capitol, D. C	778	126	904	40	417	3	.....	63	523	.....	275
Point Lookout, Md.	8,147	333	8,480	65	1,969	82	.....	218	2,334	582	103
Rock Island, Ill	7,233	.....	7,233	1	.....	283	.....	3	287	843	17
Saint Louis, Mo	622	93	715	48	.....	27	.....	61	136	174	160
Wheeling, W. Va.	43	82	125	108	.....	.....	.....	8	116	.....	1

APRIL, 1864.

Prison.	On hand Mar. 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill.	1,010	176	1,186	500	.....	15	6	18	539	45	131
Camp Chase, Ohio	811	412	1,223	3	.....	20	.....	44	67	42	106
Camp Douglas, Ill.	5,460	2	5,462	.....	.....	50	2	31	83	254	1
Camp Morton, Ind	2,570	93	2,663	.....	.....	19	1	43	63	235	26
Fort Delaware, Del.	5,712	536	6,248	1	.....	74	.....	24	99	723	39
Fort Lafayette, N. Y.	83	27	110	20	.....	.....	.....	17	37	.....	76
Fort McHenry, Md.	138	27	165	6	.....	.....	.....	4	10	.....	24
Fort Mifflin, Pa	17	.....	17	.....	.....	.....	5	.....	5	3	.....
Fort Pickens, Fla	5	12	17	9	.....	.....	.....	1	10	.....	8
Fort Warren, Mass.	169	12	181	.....	.....	.....	.....	9	9	.....	117
Fort Wood, N. Y.	10	.....	10	.....	.....	.....	.....	.....	.....	5	.....
Johnson's Island, Ohio.	2,192	59	2,251	.....	156	4	.....	3	163	51	37
Little Rock, Ark.	92	460	552	.....	.....	6	.....	19	25	34	36
Louisville, Ky.	153	360	513	318	.....	2	.....	8	328	8	41
McLean Barracks, Ohio	38	5	43	.....	3	.....	.....	.....	3	.....	22
Nashville, Tenn.	123	318	441	267	.....	6	1	55	329	23	131
New Orleans, La	950	109	1,059	2	.....	9	14	11	36	.....	.....
Old Capitol, D. C.	385	144	529	85	.....	3	.....	57	145	.....	196
Point Lookout, Md.	6,146	122	6,268	21	246	43	.....	217	527	469	150
Rock Island, Ill	6,946	.....	6,946	.....	.....	141	.....	126	267	649	17
Saint Louis, Mo	579	100	679	156	.....	21	.....	50	227	127	150
Wheeling, W. Va.	9	94	103	88	.....	.....	.....	5	93	.....	8

Abstract from monthly returns of the principal U. S. military prisons—Continued.

MAY, 1864.

Prison.	On hand Apr. 30, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	647	649	1,296	4	.....	6	5	7	22	59	183
Camp Chase, Ohio	1,156	390	1,546	5	.....	26	3	11	45	42	113
Camp Douglas, Ill	5,379	2	5,381	.....	.....	54	.....	50	104	256	1
Camp Morton, Ind	2,600	609	3,209	.....	.....	17	2	4	23	248	40
Fort Delaware, Del	6,149	2,060	8,209	3	.....	62	.....	18	83	603	99
Fort Lafayette, N. Y	73	36	109	.....	.....	.....	.....	17	17	.....	76
Fort McHenry, Md	155	43	198	9	.....	1	5	7	22	.....	55
Fort Mifflin, Pa	12	1	13	.....	.....	.....	10	1	11	.....	1
Fort Pickens, Fla	7	3	10	.....	.....	.....	.....	1	1	.....	9
Fort Warren, Mass	172	16	188	.....	.....	.....	.....	8	8	.....	119
Fort Wood, N. Y	10	.....	10	.....	.....	.....	.....	.....	.....	5	.....
Johnson's Island, Ohio	2,088	56	2,144	.....	.....	4	.....	6	10	55	36
Little Rock, Ark	527	191	718	184	.....	20	.....	24	228	105	76
Louisville, Ky	185	1,723	1,908	1,762	.....	3	3	1	1,769	25	35
McLean Barracks, Ohio	40	1	41	1	.....	.....	.....	1	2	.....	20
Nashville, Tenn	112	1,751	1,863	1,662	.....	2	1	51	1,716	45	134
New Orleans, La	1,023	302	1,325	.....	3	37	4	.....	44	137	.....
Old Capitol, D. C	384	413	797	59	31	2	.....	77	169	.....	223
Point Lookout, Md	5,741	6,876	12,617	2	362	24	6	195	589	977	208
Rock Island, Ill	6,679	511	7,190	.....	147	78	.....	18	243	441	16
Saint Louis, Mo	452	107	559	68	.....	5	1	71	145	101	206
Wheeling, W. Va	10	396	406	365	.....	.....	1	19	385	.....	31

JUNE, 1864.

Prison.	On hand May 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,274	98	1,372	9	.....	13	6	156	184	70	197
Camp Chase, Ohio	1,501	166	1,667	.....	.....	10	.....	17	27	45	134
Camp Douglas Ill	5,277	.....	5,277	.....	.....	35	4	1	40	176	1
Camp Morton, Ind	3,186	1,350	4,536	55	.....	34	.....	16	105	324	38
Fort Delaware, Del	8,126	1,194	9,320	66	.....	67	.....	13	146	638	111
Fort Lafayette, N. Y	92	22	114	2	2	.....	.....	5	9	.....	81
Fort McHenry, Md	176	2	178	70	.....	.....	.....	3	73	.....	46
Fort Mifflin, Pa	2	.....	2	.....	.....	.....	.....	2	2	.....	.....
Fort Pickens, Fla	9	6	15	.....	.....	.....	.....	1	1	.....	14
Fort Warren, Mass	180	2	182	.....	2	.....	.....	.....	2	.....	113
Fort Wood, N. Y	10	.....	10	.....	.....	.....	.....	.....	.....	1	.....
Johnson's Island, Ohio	2,134	179	2,313	.....	1	1	.....	3	5	62	34
Little Rock, Ark	490	65	555	312	.....	30	.....	22	364	62	74
Louisville, Ky	139	2,121	2,260	2,150	.....	6	.....	1	2,157	28	13
McLean Barracks, Ohio	39	36	75	7	.....	.....	.....	1	8	.....	22
Nashville, Tenn	147	1,481	1,628	1,470	.....	3	4	22	1,499	35	107
New Orleans, La	1,281	22	1,303	1	1	25	.....	1	28	171	.....
Old Capitol, D. C	628	197	825	458	.....	.....	1	37	496	.....	164
Point Lookout, Md	12,027	3,473	15,500	651	4	105	1	250	1,011	1,400	252
Rock Island, Ill	6,947	1,660	8,607	5	.....	102	3	210	320	383	27
Saint Louis, Mo	414	146	560	105	.....	5	6	98	214	118	256
Wheeling, W. Va	21	107	128	82	.....	.....	1	1	84	1	38

Abstract from monthly returns of the principal U. S. military prisons—Continued.

JULY, 1864.

Prison.	On hand June 30, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,188	83	1,271	.....	.....	13	6	7	26	68	200
Camp Chase, Ohio	1,640	375	2,015	1	.....	10	.....	123	134	41	130
Camp Douglas, Ill	5,234	1,569	6,803	.....	.....	49	4	2	55	245	.....
Camp Morton, Ind	4,431	568	4,999	.....	4	81	.....	8	93	350	35
Elmira, N. Y	.....	4,424	4,424	.....	.....	11	2	.....	13	177	48
Fort Delaware, Del	9,174	98	9,272	55	.....	110	10	2	177	686	111
Fort Lafayette, N. Y	105	5	110	.....	6	.....	1	16	23	1	77
Fort McHenry, Md	105	123	228	4	55	.....	.....	38	97	.....	112
Fort Pickens, Fla	14	16	30	2	.....	.....	1	.....	3	.....	12
Fort Warren, Mass	180	.....	180	.....	.....	.....	.....	34	34	.....	111
Fort Wood, N. Y	10	.....	10	9	.....	.....	.....	.....	9	1	.....
Johnson's Island, Ohio	2,309	135	2,444	.....	1	1	.....	1	3	59	33
Little Rock, Ark	191	89	280	1	6	14	.....	31	52	48	77
Louisville, Ky	104	3,412	3,516	3,386	15	2	1	2	3,406	50	16
McLean Barracks, Ohio	67	3	70	5	.....	1	2	7	15	.....	21
Memphis, Tenn	39	89	128	71	.....	2	.....	5	78	2	33
Nashville, Tenn	129	3,326	3,455	3,278	.....	7	3	14	3,302	48	120
New Orleans, La	1,275	35	1,310	.....	1,039	46	37	1	1,123	.....	.....
Old Capitol, D. C	329	706	1,035	719	.....	1	1	46	767	.....	157
Point Lookout, Md	14,489	258	14,747	4,528	.....	204	2	20	4,754	1,194	256
Rock Island, Ill	8,287	296	8,583	37	.....	71	2	75	185	421	90
Saint Louis, Mo	200	70	270	18	.....	1	2	48	69	116	196
Wheeling, W. Va	44	422	466	375	.....	1	1	16	393	.....	25

AUGUST, 1864.

Prison.	On hand July 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,245	35	1,280	503	.....	8	2	3	516	55	206
Camp Chase, Ohio	1,881	2,563	4,444	2	.....	36	.....	29	67	65	156
Camp Douglas, Ill	6,748	907	7,655	1	.....	98	2	.....	101	288	.....
Camp Morton, Ind	4,906	43	4,949	4	.....	91	7	8	110	341	33
Elmira, N. Y	4,411	5,195	9,606	1	.....	115	.....	10	126	394	47
Fort Delaware, Del	9,095	223	9,318	636	.....	88	1	8	733	548	73
Fort Lafayette, N. Y	87	5	92	1	.....	.....	.....	8	9	.....	59
Fort McHenry, Md	131	204	335	32	.....	1	.....	46	79	.....	151
Fort Pickens, Fla	27	2	29	.....	.....	.....	.....	2	2	.....	11
Fort Warren, Mass	146	1	147	2	1	.....	.....	5	8	.....	78
Fort Wood, N. Y	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....
Johnson's Island, Ohio	2,441	129	2,570	.....	11	1	2	.....	14	62	32
Little Rock, Ark	228	97	325	.....	.....	14	.....	12	26	57	61
Louisville, Ky	110	1,327	1,437	1,370	10	.....	.....	3	1,383	35	46
McLean Barracks, Ohio	55	2	57	46	.....	.....	1	.....	47	.....	16
Memphis, Tenn	50	59	109	.....	1	.....	.....	.....	1	4	12
Nashville, Tenn	153	1,547	1,700	1 514	.....	6	5	18	1,543	51	136
New Orleans, La	187	1,669	1,856	.....	87	5	69	4	165	132	.....
Old Capitol, D. C	271	790	1,061	650	.....	4	2	63	719	.....	180
Point Lookout, Md	9,993	1,426	11,419	4,111	.....	211	2	7	4,331	1,174	185
Rock Island, Ill	8,398	.....	8,398	1	.....	114	1	9	125	506	24
Saint Louis, Mo	201	18	219	25	.....	1	1	6	33	60	.....
Wheeling, W. Va	73	407	480	390	.....	.....	.....	7	397	.....	17

Abstract from monthly returns of the principal U. S. military prisons—Continued.

SEPTEMBER, 1864.

Prison.	On hand Aug. 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	764	141	905	.....	.....	9	4	8	21	96	228
Camp Chase, Ohio	4,377	933	5,310	104	.....	46	1	19	170	160	145
Camp Douglas, Ill	7,554	.....	7,554	1	.....	123	8	2	134	310	.....
Camp Morton, Ind	4,839	.....	4,839	8	.....	33	6	14	61	293	32
Elmira, N. Y	9,480	.....	9,480	.....	.....	385	.....	13	398	563	47
Fort Columbus, N. Y	.....	301	301	.....	.....	.....	.....	.....	.....	2	.....
Fort Delaware, Del	8,585	401	8,986	2	953	48	.....	4	1,007	355	99
Fort Lafayette, N. Y	83	1	84	1	12	.....	.....	6	19	.....	51
Fort McHenry, Md	256	72	328	92	.....	1	.....	7	100	.....	90
Fort Pickens, Fla	28	3	31	16	.....	.....	.....	1	17	.....	12
Fort Warren, Mass	139	151	290	1	.....	1	.....	8	10	.....	89
Fort Wood, N. Y	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....
Johnson's Island, Ohio	2,556	161	2,717	1	46	5	1	1	54	54	32
Little Rock, Ark	299	66	365	.....	.....	14	1	7	22	84	59
Louisville, Ky	54	557	611	552	.....	1	.....	.....	553	32	4
McLean Barracks, Ohio	10	4	14	.....	.....	.....	2	.....	2	1	14
Memphis, Tenn	75	9	84	.....	63	.....	.....	6	69	.....	12
Nashville, Tenn	157	269	426	244	.....	8	1	24	277	41	139
New Orleans, La	1,691	145	1,836	519	.....	21	30	3	573	216	.....
Old Capitol, D. C	342	198	540	224	.....	1	.....	74	299	.....	232
Point Lookout, Md	7,088	1,603	8,691	51	696	110	1	5	863	611	175
Rock Island, Ill	8,273	.....	8,273	.....	.....	70	10	12	92	449	24
Saint Louis, Mo	186	20	206	128	.....	2	.....	7	137	30	.....
Wheeling, W. Va	83	43	126	25	.....	1	1	23	50	2	20

OCTOBER, 1864.

Prison.	On hand Sept. 30, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	884	91	975	8	.....	9	1	15	33	75	235
Camp Chase, Ohio	5,140	458	5,598	7	.....	113	.....	30	150	221	153
Camp Douglas, Ill	7,420	105	7,525	.....	.....	109	17	.....	126	362	.....
Camp Morton, Ind	4,778	3	4,781	.....	.....	21	1	12	34	217	31
Elmira, N. Y	9,082	359	9,441	.....	1,264	276	11	12	1,563	640	46
Fort Columbus, N. Y	301	6	307	.....	.....	4	.....	.....	4	7	.....
Fort Delaware, Del	7,979	166	8,145	488	.....	10	2	14	514	206	92
Fort Lafayette, N. Y	65	55	120	.....	.....	.....	1	3	4	.....	43
Fort McHenry, Md	228	136	364	179	.....	.....	.....	5	184	.....	158
Fort Pickens, Fla	14	19	33	.....	.....	1	.....	17	18	2	22
Fort Warren, Mass	280	17	297	.....	97	.....	.....	2	99	3	91
Fort Wood, N. Y	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....
Johnson's Island, Ohio	2,663	34	2,697	64	.....	2	3	7	76	51	30
Little Rock, Ark	343	52	395	.....	.....	24	1	16	41	78	61
Louisville, Ky	58	1,294	1,352	1,303	.....	.....	6	.....	1,309	29	16
McLean Barracks, Ohio	12	6	18	.....	.....	.....	1	6	7	.....	18
Memphis, Tenn	15	14	29	.....	7	.....	.....	1	8	3	9
Nashville, Tenn	149	1,370	1,519	1,342	.....	5	2	27	1,376	40	139
New Orleans, La	1,289	231	1,520	1,298	23	20	14	3	1,358	75	.....
Old Capitol, D. C	241	443	684	219	.....	2	1	55	277	.....	336
Point Lookout, Md	7,828	5,983	13,811	.....	2,879	111	3	431	3,424	955	201
Rock Island, Ill	8,181	.....	8,181	.....	.....	52	9	2,294	2,355	612	23
Saint Louis, Mo	71	72	143	62	.....	7	1	5	75	2	.....
Ship Island, Miss	.....	1,229	1,229	2	.....	5	.....	.....	7	46	4
Wheeling, W. Va	76	56	132	89	.....	.....	.....	2	91	.....	19

Abstract from monthly returns of the principal U. S. military prisons—Continued.

NOVEMBER, 1864.

Prison.	On hand Oct. 31, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	942	805	1,747	1	.....	40	1	18	60	173	246
Camp Chase, Ohio	5,448	162	5,610	11	.....	146	.....	43	200	257	138
Camp Douglas, Ill	7,399	1,575	8,974	6	.....	217	.....	10	233	505	4
Camp Morton, Ind	4,747	5	4,752	.....	1	18	31	24	74	205	29
Elmira, N. Y	7,878	380	8,258	.....	.....	207	1	23	231	666	78
Fort Columbus, N. Y	303	410	713	389	.....	7	.....	1	397	40	1
Fort Delaware, Del	7,630	41	7,671	17	.....	19	1	9	46	399	421
Fort Lafayette, N. Y	116	19	135	1	.....	.....	.....	6	7	.....	39
Fort McHenry, Md	180	122	302	.....	.....	.....	.....	20	20	.....	198
Fort Pickens, Fla	15	.....	15	11	.....	.....	.....	1	12	4	5
Fort Warren, Mass	198	59	257	.....	.....	.....	.....	6	6	3	96
Fort Wood, N. Y	1	.....	1	.....	.....	.....	.....	.....	.....	1	.....
Johnson's Island, Ohio	2,621	133	2,754	.....	.....	4	.....	3	7	52	29
Little Rock, Ark	354	84	438	176	.....	26	1	20	223	64	48
Louisville, Ky	44	813	857	813	.....	2	.....	.....	815	23	5
McLean Barracks, Ohio	11	14	25	1	.....	.....	.....	1	2	.....	25
Memphis, Tenn	21	32	53	.....	3	.....	.....	8	11	.....	8
Nashville, Tenn	143	718	861	604	.....	7	1	19	631	125	136
New Orleans, La	162	340	502	126	1	10	1	5	143	25	.....
Old Capitol, D. C	407	185	592	45	.....	.....	2	142	189	.....	219
Point Lookout, Md	10,387	717	11,104	62	603	52	.....	11	728	973	240
Rock Island, Ill	5,826	568	6,394	4	.....	41	1	69	115	575	26
Saint Louis, Mo	69	643	712	627	.....	22	.....	2	651	11	.....
Ship Island, Miss. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wheeling, W. Va	41	144	185	153	.....	.....	.....	2	155	2	15

DECEMBER, 1864.

Prison.	On hand Nov. 30, 1864.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Camp Chase, Ohio	5,410	113	5,523	6	.....	153	.....	75	234	270	131
Camp Douglas, Ill	8,741	3,341	12,082	1	.....	323	6	50	380	407	7
Camp Morton, Ind	4,678	167	4,845	16	.....	53	.....	39	108	354	26
Elmira, N. Y	8,027	374	8,401	.....	.....	269	2	30	301	758	75
Fort Columbus, N. Y	316	3	319	272	.....	11	.....	2	285	11	1
Fort Delaware, Del	7,625	115	7,740	54	.....	28	.....	36	118	562	71
Fort Lafayette, N. Y	128	5	133	75	.....	1	.....	3	79	.....	37
Fort McHenry, Md	282	96	378	2	.....	1	.....	108	111	.....	196
Fort Pickens, Fla	3	41	44	40	.....	.....	.....	1	41	.....	21
Fort Warren, Mass	251	95	346	1	.....	2	.....	21	24	5	78
Fort Wood, N. Y	1	.....	1	1	.....	.....	.....	.....	1	.....	.....
Johnson's Island, Ohio	2,747	484	3,231	4	1	9	1	7	22	43	29
Little Rock, Ark	215	67	282	.....	1	13	.....	4	18	48	28
Louisville, Ky	42	3,895	3,937	3,829	.....	2	.....	1	3,832	32	3
Memphis, Tenn	42	23	65	.....	.....	1	.....	3	4	5	.....
Nashville, Tenn	230	7,230	7,460	6,229	.....	48	.....	17	6,294	1,050	119
New Orleans, La	359	133	492	315	.....	5	4	6	330	19	39
Old Capitol, D. C	403	126	529	245	.....	.....	.....	45	290	.....	193
Point Lookout, Md	10,377	325	10,702	1	.....	86	.....	27	114	1,046	240
Rock Island, Ill. *a*	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Saint Louis, Mo	61	790	851	780	.....	19	.....	.....	799	6	1
Ship Island, Miss	866	315	1,181	1	.....	70	.....	.....	71	73	.....
Wheeling, W. Va	30	68	98	70	.....	.....	.....	6	76	.....	17

a Return not on file.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

JANUARY, 1865.

Prison.	On hand Dec. 31, 1864.	Joined	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,305	586	1,891	13	.....	122	1	34	170	172	286
Camp Chase, Ohio	5,289	4,134	9,423	3	.....	293	1	81	378	535	130
Camp Douglas, Ill	11,702	9	11,711	.....	2	308	.....	162	472	511	7
Camp Morton, Ind	4,737	51	4,788	.....	.....	117	.....	472	589	355	24
Elmira, N. Y	8,100	502	8,602	2	.....	285	.....	20	307	1,015	69
Fort Columbus, N. Y	34	104	138	.....	.....	2	.....	1	3	13	1
Fort Delaware, Del	7,622	236	7,858	36	.....	55	.....	35	126	641	86
Fort Lafayette, N. Y	54	6	60	2	.....	.....	.....	3	5	.....	18
Fort McHenry, Md	265	85	350	134	.....	.....	.....	25	159	.....	93
Fort Pickens, Fla	3	2	5	2	.....	.....	.....	.....	2	.....	4
Fort Warren, Mass	322	10	332	.....	.....	1	.....	26	27	5	127
Johnson's Island, Ohio	3,209	47	3,256	215	.....	7	2	15	239	57	29
Little Rock, Ark	264	38	302	3	.....	11	.....	.....	14	51	26
Louisville, Ky	63	4,399	4,462	4,279	.....	26	.....	1	4,306	26	22
Memphis, Tenn	61	521	582	571	.....	.....	.....	1	572	1	.....
Nashville, Tenn	1,166	2,109	3,275	2,499	.....	90	2	24	2,615	574	118
New Orleans, La	162	354	516	146	.....	1	1	14	162	25	41
Old Capitol, D. C	239	124	363	25	.....	1	.....	40	66	.....	153
Point Lookout, Md	10,588	1,272	11,860	414	556	161	.....	25	1,156	545	237
Rock Island, Ill	6,633	1	6,634	.....	279	108	3	57	447	611	24
Saint Louis, Mo	52	52	104	.....	31	3	.....	1	35	4	1
Ship Island, Miss	1,111	143	1,254	19	601	9	1	.....	630	22	18
Wheeling, W. Va	22	29	51	15	.....	.....	.....	1	16	.....	13

FEBRUARY, 1865.

Prison.	On hand Jan. 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	1,721	63	1,784	750	.....	89	2	44	885	187	265
Camp Chase, Ohio	9,045	371	9,416	1,503	.....	499	.....	126	2,128	495	121
Camp Douglas, Ill	11,239	.....	11,239	.....	1,500	243	.....	230	1,973	401	5
Camp Morton, Ind	4,199	16	4,215	.....	1,000	133	2	214	1,349	272	19
Elmira, N. Y	8,295	701	8,996	.....	1,491	426	.....	33	1,950	1,398	71
Fort Columbus, N. Y	135	17	152	21	.....	5	.....	.....	26	7	.....
Fort Delaware, Del	7,732	313	8,045	1	1,039	60	.....	103	1,203	468	92
Fort Lafayette, N. Y	55	.....	55	1	1	.....	.....	5	7	.....	14
Fort McHenry, Md	192	137	329	144	.....	3	.....	7	154	.....	75
Fort Pickens, Fla	3	24	27	20	.....	.....	.....	1	21	.....	5
Fort Warren, Mass	305	89	394	.....	3	.....	.....	58	61	.....	116
Johnson's Island, Ohio	3,017	8	3,025	544	.....	6	.....	31	581	26	10
Little Rock, Ark	288	66	354	.....	1	17	.....	6	24	56	23
Louisville, Ky	156	485	641	440	1	4	1	1	447	19	5
Memphis, Tenn	10	44	54	.....	.....	.....	.....	.....	.....	3	.....
Nashville, Tenn	660	349	1,009	375	.....	38	.....	40	453	495	105
New Orleans, La	354	67	421	1	278	3	.....	18	300	14	21
Old Capitol, D. C	297	173	470	236	.....	1	.....	33	270	.....	147
Point Lookout, Md	10,704	1,527	12,231	232	4,145	223	.....	36	4,636	776	288
Rock Island, Ill	6,187	94	6,281	1	1,005	56	1	129	1,192	479	26
Saint Louis, Mo	69	117	186	111	.....	8	.....	.....	119	28	6
Ship Island, Miss	624	.....	624	3	.....	5	.....	.....	8	13	18
Wheeling, W. Va	35	75	110	83	.....	.....	.....	2	85	.....	13

Abstract from monthly returns of the principal U. S. military prisons—Continued.

MARCH, 1865.

Prison.	On hand Feb. 28, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	899	157	1,056	21	.....	45	1	73	140	161	307
Camp Chase, Ohio	7,290	571	7,861	11	2,286	309	.....	272	2,878	384	116
Camp Douglas, Ill	9,266	61	9,327	304	1,492	147	.....	217	2,160	230	4
Camp Morton, Ind	2,866	2	2,868	2	1,000	70	.....	388	1,460	218	6
Elmira, N. Y	7,046	56	7,102	.....	1,518	491	.....	39	2,048	823	56
Fort Columbus, N. Y	127	.....	127	.....	115	3	.....	.....	118	.....	.....
Fort Delaware, Del	6,842	2,057	8,899	4	1,038	93	.....	88	1,223	637	105
Fort Lafayette, N. Y	48	1	49	45	.....	1	.....	3	49	.....	11
Fort McHenry, Md	175	33	208	2	.....	3	.....	14	19	.....	73
Fort Pickens, Fla	6	.....	6	.....	.....	.....	.....	1	1	.....	4
Fort Warren, Mass	333	47	380	.....	33	.....	.....	26	59	15	34
Johnson's Island, Ohio	2,444	12	2,456	1	605	2	.....	31	639	26	9
Little Rock, Ark	330	31	361	.....	.....	21	.....	8	29	41	17
Louisville, Ky	194	437	631	514	.....	1	1	.....	516	5	2
Memphis, Tenn	54	25	79	.....	71	.....	.....	1	72	.....	4
Nashville, Tenn	556	197	753	456	.....	29	.....	32	517	173	87
New Orleans, La	121	100	221	6	3	10	.....	7	26	2	13
Old Capitol, D. C	200	254	454	281	.....	.....	1	55	337	11	156
Point Lookout, Md	7,595	3,737	11,332	24	3,230	175	2	76	3,507	580	301
Rock Island, Ill	5,089	1	5,090	1	2,021	34	.....	262	2,318	240	25
Saint Louis, Mo	67	143	210	123	.....	9	.....	7	139	30	6
Ship Island, Miss	616	.....	616	37	161	8	.....	.....	206	15	16
Wheeling, W. Va	25	61	86	54	.....	.....	.....	1	55	2	9

APRIL, 1865.

Prison.	On hand Mar. 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	916	80	996	14	.....	6	2	393	415	104	270
Camp Chase, Ohio	4,989	350	5,339	1	158	132	.....	53	344	376	52
Camp Douglas, Ill	7,165	3	7,168	.....	99	86	.....	875	1,060	249	2
Camp Morton, Ind	1,408	.....	1,408	9	.....	10	.....	45	64	190	2
Elmira, N. Y	5,054	1	5,055	.....	.....	267	1	33	301	647	35
Fort Columbus, N. Y	9	6	15	15	.....	.....	.....	.....	15	.....	.....
Fort Delaware, Del	7,676	899	8,575	.....	88	106	.....	120	314	528	73
Fort McHenry, Md	188	29	217	19	.....	3	.....	13	35	.....	65
Fort Pickens, Fla	5	4	9	.....	.....	.....	.....	.....	.....	.....	7
Fort Warren, Mass	321	12	333	.....	1	.....	.....	2	3	3	74
Hart's Island, N. Y	.....	3,413	3,413	25	.....	41	.....	1	67	29	68
Johnson's Island, Ohio	1,817	989	2,806	1	12	4	.....	11	28	51	9
Little Rock, Ark	332	22	354	2	1	3	.....	10	16	46	14
Louisville, Ky	115	236	351	324	.....	.....	.....	1	325	2	9
Memphis, Tenn	7	13	20	.....	10	.....	.....	.....	10	.....	.....
Nashville, Tenn	236	728	964	732	.....	18	.....	22	772	128	103
Newport News, Va	.....	3,339	3,339	4	.....	5	.....	.....	9	100	4
New Orleans, La	195	651	846	8	78	.....	.....	14	100	18	17
Old Capitol, D. C	117	1,414	1,531	1,034	.....	3	.....	78	1,115	33	271
Point Lookout, Md	7,825	12,285	20,110	83	.....	203	.....	38	324	1,731	185
Rock Island, Ill	2,772	.....	2,772	.....	.....	20	.....	88	108	242	20
Saint Louis, Mo	71	27	98	80	.....	4	.....	1	85	8	1
Ship Island, Miss	410	3,946	4,356	277	.....	5	4	.....	286	44	74
Wheeling, W. Va	31	24	55	.....	30	.....	.....	.....	30	1	10

Abstract from monthly returns of the principal U. S. military prisons—Continued.

MAY, 1865.

Prison.	On hand Apr. 30, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	581	51	632	1	.....	8	2	230	241	58	208
Camp Chase, Ohio	4,995	544	5,539	3	440	80	.....	1,665	2,188	307	51
Camp Douglas, Ill	6,107	.....	6,107	.....	411	63	1	1,496	1,971	280	2
Camp Morton, Ind	1,343	23	1,366	.....	.....	10	.....	1,037	1,047	46	16
Elmira, N. Y	4,754	131	4,885	.....	.....	131	.....	1,144	1,275	509	34
Fort Delaware, Del	8,261	9	8,270	1	.....	60	11	1,072	1,144	544	70
Fort McHenry, Md	182	163	345	.....	.....	10	1	173	184	.....	42
Fort Pickens, Fla	9	2	11	.....	.....	.....	.....	1	1	.....	9
Fort Warren, Mass	330	11	341	2	1	1	.....	21	25	10	74
Hart's Island, N. Y	3,346	.....	3,346	.....	.....	112	1	7	120	64	63
Johnson's Island, Ohio	2,778	81	2,859	4	.....	5	.....	253	262	44	10
Little Rock, Ark	338	21	359	.....	53	4	.....	285	342	.....	14
Louisville, Ky	26	721	747	545	.....	1	.....	3	549	20	23
Memphis, Tenn	10	.....	10	.....	.....	.....	.....	8	8	2	.....
Nashville, Tenn	192	164	356	187	.....	9	3	37	236	36	108
Newport News, Va	[a]3,330	130	3,460	1	.....	24	.....	2	27	166	8
	[a]3,433	57	3,490	.....	.....	49	5	2	56	154	7
New Orleans, La	746	949	1,695	430	1,113	10	1	131	1,685	11	36
Old Capitol, D. C	416	133	549	233	.....	.....	.....	172	405	12	249
Point Lookout, Md	19,786	32	19,818	9	.....	324	.....	1,595	1,928	1,818	177
Rock Island, Ill	2,664	.....	2,664	.....	424	7	.....	1,123	1,554	106	20
Saint Louis, Mo	13	9	22	.....	.....	.....	.....	10	10	1	.....
Ship Island, Miss	4,070	6	4,076	4,065	.....	1	.....	.....	4,066	.....	70
Wheeling, W. Va	25	2	27	2	.....	.....	.....	1	3	.....	8

JUNE, 1865.

Prison.	On hand May 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	391	1	392	13	.....	4	1	310	328	.....	138
Camp Chase, Ohio	3,353	.....	3,353	11	.....	45	.....	3,249	3,305	48	40
Camp Douglas, Ill	4,136	.....	4,136	.....	.....	16	.....	4,090	4,106	30	1
Camp Morton, Ind	319	.....	319	.....	.....	2	2	308	312	.....	13
Elmira, N. Y	3,610	.....	3,610	.....	.....	54	.....	2,509	2,563	218	34
Fort Delaware, Del	7,126	.....	7,126	.....	.....	41	.....	6,977	7,018	26	55
Fort Lafayette, N. Y	.....	5	5	1	.....	.....	.....	.....	1	.....	4
Fort McHenry, Md	161	11	172	1	.....	3	.....	153	157	.....	26
Fort Pickens, Fla	10	1	11	.....	.....	.....	.....	1	1	.....	10
Fort Warren, Mass	316	4	320	.....	.....	.....	.....	294	294	.....	67
Hart's Island, N. Y	3,226	.....	3,226	.....	.....	81	1	3,083	3,165	37	57
Johnson's Island, Ohio	2,587	36	2,623	.....	.....	2	.....	2,502	2,504	.....	6
Little Rock, Ark	17	.....	17	1	.....	.....	.....	12	13	.....	13
Louisville, Ky	180	49	229	.....	.....	1	.....	223	224	1	1
Memphis, Tenn	2	.....	2	.....	.....	.....	.....	2	2	.....	.....
Nashville, Tenn	120	94	214	52	.....	4	2	64	122	12	118
Newport News, Va	3,434	24	3,458	.....	.....	85	12	2,621	2,718	.....	7
New Orleans, La	11	4	15	.....	.....	3	.....	12	15	.....	3
Old Capitol, D. C	144	19	163	29	.....	2	.....	93	124	.....	102
Point Lookout, Md	17,890	946	18,836	.....	.....	256	.....	18,580	18,836	.....	134
Rock Island, Ill	1,110	2	1,112	.....	.....	12	8	1,090	1,110	2	12
Saint Louis, Mo	12	.....	12	.....	.....	.....	.....	12	12	.....	.....
Ship Island, Miss	10	.....	10	10	.....	.....	.....	.....	10	.....	3
Wheeling, W. Va	24	.....	24	.....	.....	.....	.....	18	18	.....	8

[a] Upper line covers from May 1 to 13, lower line from May 13 to 31.

Abstract from monthly returns of the principal U. S. military prisons—Continued.

JULY, 1865.

Prison.	On hand June 30, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Alton, Ill	62	.....	62	39	.....	.....	.....	.....	39	.....	50
Camp Chase, Ohio	48	.....	48	39	.....	2	.....	7	48	.....	1
Camp Douglas, Ill	30	.....	30	32	.....	4	.....	10	30	.....	.....
Camp Morton, Ind	7	.....	7	.....	.....	.....	.....	7	.....	.....	.....
Elmira, N. Y	1,047	.....	1,047	140	.....	16	.....	889	1,045	.....	.....
Fort Delaware, Del	109	1	110	.....	.....	3	.....	105	108	.....	14
Fort Lafayette, N. Y	4	6	10	.....	.....	.....	.....	2	2	.....	5
Fort McHenry, Md	15	3	18	.....	.....	.....	.....	13	13	.....	4
Fort Pickens, Fla	10	11	21	.....	.....	.....	4	.....	4	.....	20
Fort Warren, Mass	26	.....	26	.....	.....	.....	.....	22	22	.....	4
Hart's Island, N. Y	61	1	62	39	.....	.....	2	21	62	.....	1
Johnson's Island, Ohio	119	.....	119	.....	.....	.....	.....	112	112	.....	4
Little Rock, Ark	5	.....	5	.....	.....	.....	.....	1	1	1	4
Louisville, Ky	5	.....	5	.....	.....	.....	.....	4	4	1	.....
Nashville, Tenn	92	30	122	2	.....	4	2	21	29	5	109
Newport News, Va	740	.....	740	.....	.....	5	.....	735	740	.....	.....
Old Capitol, D. C	37	18	55	6	.....	.....	.....	24	30	.....	50
Rock Island, Ill	2	.....	2	.....	.....	.....	.....	2	2	.....	.....
Saint Louis, Mo	.....	3	3	.....	.....	.....	.....	1	1	.....	.....
Wheeling, W. Va	6	.....	6	.....	.....	.....	5	1	6	.....	2

AUGUST, 1865.

Prison.	On hand July 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Fort Lafayette, N. Y	8	1	9	.....	.....	.....	.....	1	1	.....	4
Fort McHenry, Md	5	.....	5	.....	.....	.....	.....	1	1	2	2
Fort Pickens, Fla	17	1	18	.....	.....	.....	2	2	4	.....	17
Fort Warren, Mass	4	1	5	.....	.....	.....	.....	.....	.....	.....	5
Johnson's Island, Ohio	7	.....	7	.....	.....	.....	.....	1	1	.....	2
Little Rock, Ark	4	.....	4	.....	.....	.....	.....	4	4	.....	3
Nashville, Tenn	93	16	109	10	.....	2	.....	12	24	3	105
Old Capitol, D. C	25	16	41	5	.....	.....	1	25	31	1	39
Saint Louis, Mo	2	.....	2	.....	.....	.....	.....	1	1	.....	.....

SEPTEMBER, 1865.

Prison.	On hand Aug. 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Fort Lafayette, N. Y	8	5	13	2	.....	.....	.....	1	3	.....	6
Fort McHenry, Md	4	.....	4	.....	.....	.....	.....	1	1	.....	1
Fort Pickens, Fla	14	2	16	.....	.....	.....	1	1	2	.....	14
Fort Warren, Mass	5	1	6	.....	.....	.....	.....	.....	.....	.....	5
Johnson's Island, Ohio	7	.....	7	6	.....	.....	.....	1	7	.....	2
Nashville, Tenn	85	6	91	70	.....	.....	1	20	91	.....	89
Old Capitol, D. C	10	19	29	6	.....	.....	.....	9	15	1	28

Abstract from monthly returns of the principal U. S. military prisons—Continued.

OCTOBER, 1865.

Prison.	On hand Sept. 30, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Fort Lafayette, N. Y ..	10	.....	10	.....	.....	.....	.....	6	6	.....	4
Fort Pickens, Fla	13	.....	13	.....	.....	1	3	2	6	.....	12
Old Capitol, D. C	13	4	17	2	.....	.....	1	11	14	.....	16

NOVEMBER, 1865.

Prison.	On hand Oct. 31, 1865.	Joined.	Total.	Transferred.		Died.	Escaped.	Released.	Total loss.	Memoranda.	
				Other stations.	Delivery or exchange.					Sick.	Citizens.
Fort Lafayette, N. Y ...	4	1	5	.....	.....	.....	.....	1	1	.....	*a*4

a These four citizen prisoners were subsequently released—one in January, 1866; two in February, 1866, and one in March, 1866.

[NOTE.—With the exception of Andersonville, Ga., there are no regular monthly returns of Confederate prisons on file in the War Department from which an exhibit similar to the foregoing could be prepared for the prisoners held by the Confederate authorities. The returns of Andersonville are published in this series as follows: For June, 1864, Vol. VII, p. 438; July, 1864, *ibid.*, p. 517; August, 1864, *ibid.*, p, 708; October, 1864, *ibid.*, p. 1082; March, 1865, Vol. VIII, p. 459. Such other reports or statements for periods of less than a month as have been found with the Confederate archives are published in their chronological order.

The principal places for the confinement of Union prisoners held by the Confederate authorities follow:

Americus, Ga.
Andersonville (Camp Sumter), Ga.
Atlanta, Ga.
Augusta, Ga.
Blackshear, Ga.
Cahaba, Ala.
Camp Ford (Tyler), Tex.
Camp Groce (near Hempstead), Tex.
Camp Lawton (Millen), Ga.
Camp Oglethorpe (Macon), Ga.
Charleston, S. C.
Charlotte, N. C.
Columbia, S. C.
Danville, Va.
Florence, S. C.
Lynchburg, Va.
Marietta, Ga.
Mobile, Ala.
Montgomery, Ala.
Petersburg, Va.
Raleigh, N. C.
Richmond (Va.) Prisons—
  Belle Isle.
  Castle Thunder.
  Crew's.
  Grant's Factory.
  Libby.
  Pemberton's.
  Scott's.
  Smith's Factory.
Salisbury, N. C.
Savannah, Ga.
Shreveport, La.
Tuscaloosa, Ala.]

INDEX.

Brigades, Divisions, Corps, Armies, and improvised organizations are "Mentioned" under name of commanding officer; State and other organizations under their official designation.

Abbeville, S. C.
Transfers of prisoners, 226.
Abbott, J. J.
Correspondence. See *Christian Commission, U.S.*
Abbott, Joseph C.
Correspondence, J. M. Schofield, 358, 373.
Mentioned, 296, 297, 364, 373.
Ackworth, Colonel, 159.
Adams, John, 783.
Adams, John Quincy, 679.
Adams, Milton J., 554.
Adams, Wirt.
Correspondence, N. G. Watts, 411.
Mentioned, 378, 382.
Adjutant-General's Office, U. S. A.
Correspondence:
Atty. Gen.'s Office, U. S., 656, 718, 747, 772.
Augur, C. C., 519, 586, 794, 819.
Banks, N. P., 100.
Black, J. S., 712.
Brannan, J. M., 893, 895.
Burke, M., 652, 873, 878.
Burton, H. S., 947, 948, 962, 965, 974, 985, 986.
Butler, B. F., 101, 103.
Chandler, L. H., 985.
Chipman, N. P., 746.
Cooper, G. E., 908, 915.
Dana, N. J. T., 477, 481, 486, 523.
Davis, Jefferson, Mrs., 901, 902.
Gibson, A. A., 764.
Gillmore, Q. A., 404, 640, 647, 664, 690, 692, 709, 743.
Halleck, H. W., 242, 902, 905.
Hayes, J., 220.
Heckman, C. A., 100.
Hitchcock, E. A., 154, 404, 885, 895, 968.
Hoffman, W., 242, 373, 374, 410, 411, 481, 690, 709, 714, 727, 770.
Hooker, J., 712, 736, 881.
Hovey, A. P., 638.
Innes, W., 48.
Johnson, L., 171, 175.
Judge-Advocate-Gen.'s Office, U.S.A., 735, 887.
Ludlow, W. H., 99.
McDowell, I., 840.
Manning, W. C., 763.
Meade, G. G., 743, 745.
Miles, N. A., 639, 642, 647, 655, 673, 682, 691, 695, 703, 710–712, 715, 716, 718–720, 725, 728, 736, 739–742, 744, 746, 754, 761, 763, 766, 767, 769, 775, 833, 834, 840–842, 846, 847, 867, 869, 871, 872, 874, 875, 880, 882, 883, 885, 887–890, 892, 894, 896, 899, 901, 902, 904–907, 909–914, 919–921, 925, 929–931, 945, 946, 948–950, 952, 954, 956, 961, 974, 975.

Adjutant-General's Office, U. S. A.—Continued.
Correspondence:
O'Conor, C., 634, 640, 657.
Ohio, Governor of, 302, 305.
Pelouze, L. H., 755.
Pope, J., 743.
Prentice, J. A., 896, 897.
Pritchard, B. D., 558.
Reynolds, J. J., 539.
Scammon, E. P., 100.
Schoepf, A., 816.
Schofield, J. M., 373.
Seymour, T., 100.
Shaler, A., 100.
Sheridan, P. H., 760, 820, 845, 870, 897, 900, 902, 905, 909.
Sherman, W. T., 743.
Steedman, J. B., 815, 820, 870.
Surgeon-General's Office, U. S. A., 909, 948.
Terry, A. H., 819, 893, 929, 930, 952.
Thomas, G. H., 172, 538, 743, 817.
Thomas, L., 153.
Turner, R. R., 966.
Wallace, L., 505, 515.
War Department, U. S., 46, 89, 98, 113, 690, 819, 903, 907, 911, 915, 961, 985, 986.
Wessells, H. W., 100.
Williams, G. A., 483.
Wilson, J. H., 557.
Orders for final discharge of prisoners of war, 709, 710.
Orders, General, series 1862: **No. 142,** 809.
Orders, General, series 1865: **No. 6,** 86; **No. 40,** 413; **Nos. 46, 47,** 418; **No. 57,** 473; **No. 62,** 474; **No. 63,** 476; **No. 73,** 506, 511; **No. 75,** 512; **No. 85,** 538; **No. 89,** 549; **No. 98,** 580; **No. 103,** 585; **No. 104,** 633; **No. 109,** 641.
Orders, General Court-Martial, series 1864: **No. 274,** 115.
Orders, General Court-Martial, series 1865: **No. 214,** 543; **No. 250,** 573; **No. 260,** 632; **No. 283,** 650; **No. 350,** 691; **No. 356,** 696; **No. 452,** 724; **No. 495,** 736; **No. 505,** 741; **No. 601,** 784; **No. 607,** 775, 776, 784; **Nos. 654, 660,** 837.
Orders, General Court-Martial, series 1866: **No. 71,** 888; **No. 104,** 898; **No. 153,** 926.
Orders, Special, series 1865: **No. 49,** 156; **No. 51,** 162; **No. 158,** 464; **No. 215,** 539; **No. 243,** 560; **No. 343,** 682; **No. 581,** 784.
Orders, Special, series 1866: **No. 431,** 955.

Adjutant and Inspector General's Office, C. S. A.
Correspondence:
Aiken, J. M., 88.
Beauregard, G. T., 50, 172, 209, 224.
Bragg, B., 286.
Chilton, R. H., 138.
Cunningham, A. S., 139.
Davis, Jefferson, 86.
Ewell, R. S., 312, 366.
Forno, H., 202.
Gardner, W. M., 159, 211, 265, 365, 403, 411, 412.
Gee, J. H., 238.
Hall, T. W., 168, 205, 245.
Hoke, W. J., 224, 238.
Holmes, T. H., 238, 287.
Iverson, J. F., 238.
Maury, D. H., 77, 240.
Ould, R., 88.
Pickett, G. E., 903.
Pillow, G. J., 205.
Quartermaster-General's Office, C. S. A., 251, 265.
Ruggles, D., 442, 457, 461, 474, 475, 478.
Smith, J. L., 449.
Subsistence Department, C. S. A., 138, 161.
War Department, C. S., 11, 12, 49, 50, 77, 127, 138, 139, 159, 168, 172, 225, 249, 422, 462.
Winder, J. H., 12, 49, 83, 86, 96, 126, 127, 135, 138, 159, 161, 168, 181, 184, 198.
Orders, General, series 1864: **No. 84**, 422.
Orders, General, series 1865: **No. 6**, 224, 422; **No. 18**, 447.
Orders, Special, series 1865: **No. 48**, 224, 422; **No. 51**, 422; **No. 52**, 337; **No. 53**, 356; **No. 58**, 451; **No. 69**, 427.
Ahern, William, 53.
Ahl, George W.
Correspondence, A. Schoepf, 40, 80, 112, 143.
Ahlefeldt, John.
Assignments, 145.
Correspondence, E. W. Holmstedt, 36.
Mentioned, 145.
Aiken, J. M.
Correspondence, Adjutant and Inspector General's Office, C. S. A., 88.
Alabama, C. S. S.
Engagement with Kearsarge, June 19, 1864. Prisoners of war, 266, 267, 407, 408, 427.
Mentioned, 266, 407, 408, 427, 751, 752.
Alabama, Schooner, 409.
Alabama.
Arrests, etc., of citizens, 86, 87.
Operations in. See—
Athens. Action, Sept. 24, 1864.
Mobile Bay. Operations, Aug. 2–23, 1864.
Mobile Campaign. Mar. 17–May 4, 1865.
Sulphur Branch Trestle. Action, Sept. 25, 1864.
Political prisoners, 576, 648, 674.
Supplies for prisoners of war, 69, 70, 166, 365.
Troops paroled, 828, 829.
Alabama, Governor of.
Correspondence, Jefferson Davis, 365.
Ala., Miss., and East La., Dept. of (C.).
Surrender and parole of Taylor's command, May 4, 1865, 531, 540–542, 567, 717, 718, 828, 829.
Alabama Troops (C.).
Cavalry—*Battalions:* **Stuart's**, 199; **Warren's**, 199; **Williams'**, 199.
Alabama Troops (C.)—Continued.
Cavalry—*Companies:* **Newsom's**, 199; **Sleeth's**, 199.
Cavalry—*Regiments:* **4th** (*Roddey*), 199; **5th, 10th, 11th**, 199; **Moreland's**, 199.
Albemarle, C. S. S.
Destruction of, Oct. 27, 1864. Prisoners of war, 78, 214.
Mentioned, 78, 214.
Alcoke, Thomas C., 778.
Alexander, George W., 764, 765, 783.
Alice, Steamer, 328.
Aliens. See *Foreigners.*
Allegheny Penitentiary.
Monthly returns of prisoners, from August, 1863, to March, 1864, 991–995.
Allen, Edward K.
Correspondence, W. P. Richardson, 106, 205, 380.
Allen, Harvey A.
Correspondence:
Dix, J. A., 196, 574.
Hoffman, W., 236, 243, 260, 271, 375.
Navy Department, U. S., 83, 91, 133, 163, 170.
Wessells, H. W., 133, 151, 163.
Woodman, W. H., 73, 105, 140.
Mentioned, 573, 575.
Allen, Henry W.
Correspondence. See *Louisiana, Governor of.*
Allen, Robert C.
Correspondence:
Baker, J. H., 296.
Heinrichs, G., 222.
Rex, G., 292.
Mentioned, 292, 497.
Allen, T., 455.
Allen, W. G.
Correspondence, Jefferson Davis, 201.
Allison, A. K.
Application for amnesty, 769, 812, 862–867.
Arrest, charges against, etc., 658, 674, 723, 724, 769, 862, 864–866.
Correspondence, W. C. Manning, 723, 761.
Mentioned, 658, 674, 769, 812, 862, 864, 865, 870.
Allison, Charles W. B., 367.
Allison, John H., 476.
Allison, William, Steamer, 239, 333, 334, 351.
Alston, Robert A.
Correspondence, A. E. Burnside, 186.
Mentioned, 154, 186, 187.
Alston, W.
Correspondence, Jefferson Davis, 838, 839.
Mentioned, 838, 839, 849.
Alston, William J., 838.
Alton, Ill.
Complaints of ill-treatment, 347, 348.
Discontinuance of prison, 661.
Final release of prisoners, 700, 701.
Inspections, 682, 694, 695, 703, 704.
Monthly returns of prisoners, from July, 1862, to July, 1865, 986–1003.
Transfers of prisoners, 661.
Alvey, J. P., 366.
Ames, Adelbert.
Correspondence, T. T. Heath, 662.
Amiss, William H., 97.
Amnesty.
Administration of oath, 711.

Amnesty—Continued.
Political prisoners, 551. 662–664, 668–671, 702, 703, 713, 714, 736–738, 763, 764, 769, 774, 775, 812–814, 833, 862–867.
Prisoners of war, 151. 239. 240, 260, 266, 332, 521, 526–529, 534–536, 556. 582, 641. 820, 821.
Proclamations of the President:
Dec. 8, 1863, 320.
Mar. 26, 1864, 319, 366.
May 29, 1865, 578–580, 644, 711.
Rumored intention of R. E. Lee to apply for, 534–536.
Amory, C. B., 233.
Amos, Charles Gerrish, 640, 646.
Amyett, Amos, 903.
Anderson, Mr.. 455.
Anderson, Archer.
Correspondence. See *Braxton Bragg.*
Anderson, Benjamin M., 502. 644, 684, 687, 688, 724.
Anderson, Charles W.
Correspondence. See *Nathan B. Forrest.*
Mentioned, 325, 402.
Anderson, F., 763, 766.
Anderson, J. W., 53.
Anderson, John, 508.
Anderson, S. H., 401.
Anderson, Smith W., 717.
Andersonville, Ga.
Arrests, trials, etc., of prison officials, 552, 553, 557, 586, 633, 639, 773–794, 819, 820, 926–928.
Complaints of ill-treatment, 350. 552, 553, 746, 754.
Consolidated returns:
June, July, August, and October, 1864. 1004.
January, 1865, 161, 458.
March, 1865, 459, 471, 1004.
Enlistment of prisoners in C. S. service, 124–126, 201, 358, 359, 554.
Exchange of prisoners from, 425–427, 436, 445, 465. 470. 515, 519, 532.
Inclosure of hospital by stockade, 111.
Inquiries for dead and missing prisoners, 729, 730.
Management, needs, etc., 111. 126. 127, 312, 585–632, 730–736.
Meeting of Union sergeants, 101.
Observations upon diseases of prisoners, 588–632.
Property taken from prisoners, 534, 535, 744–746.
Raid on stores by Confederate soldiers, 532.
Removal of prisoners, 471, 532, 765.
Statement of D. T. Chandler, abuses, etc., 527–529.
Stephens, A. H., protests against treatment of prisoners, 746.
Winder, R. B., states connection, etc., with prison, 534, 535, 730–736, 744.
Andrew, John A.
Correspondence. See *Massachusetts, Gov. of.*
Mentioned, 633, 646.
Andrews, George L.
Correspondence:
Canby, E. R. S., 549.
Dana, N. J. T., 556.
Hoffman, W., 717.
Thomas, G. H., 540.
Mentioned, 364, 542, 717, 718.
Andrews, William, 414.
Anna Maria, Steamer, 484.
Annapolis, Md.
Arrivals, condition, etc., of prisoners, 435, 436.
Applegate, Harvey.
Correspondence, E. R. S. Canby, 206.
Applegate, Joseph W., 635.
Appomattox Court-House, Va.
Surrender and parole of Army of N. Va., Apr. 9, 1865, 480, 481, 483, 485, 486, 488, 505, 506, 513, 515, 517–520, 543, 651, 770–772, 828, 829.
Archer, William D., 406, 407, 440.
Arendt, George, 426.
Arkansas.
Exchange, etc., of prisoners from, 173.
Final release of prisoners, 521, 536, 539.
Guerrillas, 176–178.
Operations in. See *Helena. Attack on, July 4, 1863.*
Armesy, Thomas D., 413.
Armies of the United States.
Orders, Special, series 1864: **No. 159**, 99.
Orders, Special, series 1865: **No. 3**, 242.
Armstrong, F. M., 87.
Armstrong, James, 926, 927.
Army Headquarters.
Correspondence:
Banks, N. P., 99, 100.
Buell, D. C., 99.
Burnside, A. E., 99, 100, 186.
Curtis, S. R., 99.
Dix, J. A., 99.
Foster, J. G., 99.
Grant, U. S., 99.
Hitchcock, E. A., 99.
Hoffman, W., 100.
Hooker, J., 99.
Hunter, D., 99.
Hurlbut, S. A., 99, 100.
Lee, R. E., 100.
Lincoln, Abraham, 99.
Ludlow, W. H., 99.
Meade, G. G., 99.
Rosecrans, W. S., 99.
Schenck, R. C., 99.
Schofield, J. M., 99.
Thomas, G. H., 100.
Thomas, L., 99.
War Department, U. S., 99.
Wright, H. G., 99.
Arnold, J. Q., 193.
Arnold, Samuel, 696, 698–700.
Asboth, Alexander.
Correspondence. War Department, U. S., 833.
Ashton, J. Hubley.
Correspondence. See *Atty. Gen.'s Office, U. S.*
Asylum, Camp. See *Columbia, S. C.*
Atcheson, George.
Correspondence, W. W. Morris, 53.
Athenæum Prison, Wheeling, W. Va.
Inspections, 81, 82, 151.
Monthly returns of prisoners, from August, 1863, to July, 1865, 991–1003.
Athens, Ala. Action, Sept. 24, 1864.
Prisoners of war, 26. 27, 109, 153, 154, 803.
Atkinson, Alexander D., 177.
Atlanta, Steamer, 20. 67. 83, 114, 123, 124, 128, 129, 199, 200, 241, 283, 313, 314.

Attorney-General's Office, U. S.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 656, 718, 747, 772.
Davis, Jefferson, Mrs., 870, 875.
Johnson, Andrew, 844, 910.
War Department, U. S., 782, 784, 819, 953.
Opinions, reviews, etc., in the cases of:
Davis, Jefferson, 844, 845.
Surrender of Army of N. Va., 506, 510, 511.
Atzerodt, George A., 696–700, 794, 856.
Aubrey Territory, Miss.
Establishment, etc., 404, 405, 411, 412, 515, 519, 520.
Augur, Christopher C.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 519, 586, 794, 819.
Halleck, H. W., 151, 486.
Ingraham, T., 586.
Payne, W. H., 567.
Mentioned, 567, 586, 705, 791, 792.
Augusta, Ga., Telegraph Operator.
Correspondence, T. T. Eckert, 666.
Avery, Robert, 972.
Ayres, William, 348.
Azpell, Thomas F.
Correspondence, R. C. Wood, 477.
Babcock, Orville E.
Correspondence, U. S. Grant, 694, 704.
Mentioned, 682, 703.
Baber, Milton D.
Correspondence, U. S. Grant, 648.
Bachman, Captain, 278.
Bailey, Joseph, 490.
Bailey, R. H. C., 87.
Bailey, Z. F., 414.
Bailey & Southard, 315.
Baker, E., 119.
Baker, James H.
Correspondence:
Allen, R. C., 296.
Canby, E. R. S., 516.
Dodge, G. M., 377.
Heinrichs, G., 18, 116, 221, 292, 440.
Hoffman, W., 85, 222, 302, 306, 360, 441, 466.
Randolph, J. F., 659.
Rex, G., 291.
Mentioned, 85, 661.
Baker, John A., 332.
Baker, Lafayette C., 745–747.
Baker, Lawrence S.
Correspondence:
Bragg, B., 288, 304, 305.
Hoke, R. F., 245, 276.
Johnson, B. T., 288, 294.
War Department, C. S., 305.
Mentioned, 288.
Baker, Lewis H., 445, 468, 496.
Baltic, Steamer, 478.
Baltimore, Md.
Clothing depot for prisoners in transit, 258.
Paroled prisoners in transit home, 513, 515, 519.
West's Building Hospital, 18, 37, 81, 105, 190.
Bankhead, Smith P., 320.
Banks, Nathaniel P.
Correspondence:
Adjutant-General's Office, U. S. A., 100.
Army Headquarters, 99, 100.
Dwight, C. C., 100.
Banks, Nathaniel P.—Continued.
Correspondence:
Franklin, W. B., 100.
Taylor, R., 100.
Mentioned, 98, 147, 148, 460, 520, 521, 529, 586, 640, 801.
Negotiations with R. Taylor, 15, 59, 60, 85, 88, 93, 141, 142, 146, 157.
Orders, paroled prisoners, 521, 529, 534.
Barber, Robert B., 876, 891.
Barkley, C. W., 53.
Barlow, H. H., 348.
Barlow, J. S., 348.
Barnes, James.
Correspondence:
Brady, A. G., 462.
Hoffman, W., 259, 463, 557, 582.
Mulford, J. E., 465.
War Department, U. S., 477, 550.
Wessells, H. W., 30, 133.
Mentioned, 260.
Barnes, John H., 87.
Barnes, Joseph K.
Correspondence. See *Surg. Gen.'s Office, U. S. A.*
Mentioned, 492, 660, 926.
Barnes, Norman S.
Correspondence, Surg. Gen.'s Office, U. S. A., 729.
Barrett, James A., 7, 524, 543, 544.
Barrett, Thomas G.
Arrest and trial, 782, 783.
Mentioned, 766, 783.
Barrow, Robert J.
Correspondence, W. Hoffman, 215.
Mentioned, 59.
Barrow, Washington, 805.
Barry, W. H., 984.
Barstow, Simon F.
Correspondence. See *George G. Meade.*
Barth, William G.
Assignments, 417.
Correspondence. See *John H. Winder;* also *Henry Forno.*
Mentioned, 226, 417, 470, 471.
Bartlett, Thomas J., 142, 228, 229.
Bartlette, Thomas, 228.
Bartley, T. W., 645.
Barton, Judge, 267.
Barton, Clara, 301.
Barton, H. C., 348.
Bascom, Gustavus M.
Correspondence. See *John M. Palmer.*
Bates, Edward, 782.
Bates, Lewis F., 977.
Battle, Frank, 26, 53, 71, 196, 307, 308.
Baume, Felix de la, 777.
Baylor, Thomas G., 846, 847.
Bayly, Samuel T.
Assignments, 12, 516.
Correspondence. See *John H. Winder;* also *Daniel Ruggles.*
Mentioned, 12, 444, 473, 516.
Bayne, Thomas L.
Correspondence, War Department, C. S., 78, 240.
Mentioned, 240.
Beall, John Y.
Correspondence, R. Ould, 400.
Mentioned, 83, 279–282, 398–400, 416.

Beall, John Y.—Continued.
Trial and execution, 83, 84, 91, 279–282, 398–400, 416.
Beall, William N. R.
Address to Confederate prisoners, 748.
Correspondence:
Dix, J. A., 21.
Hunt, L. C., 199, 215, 228.
Ould, R., 27, 79, 389.
Paine, H. E., 14, 21, 23, 40, 63, 114, 124, 131, 136, 140, 173, 174, 189, 235, 283, 284, 308, 314.
Printup, D. S., 215.
War Department, C. S., 241.
Distribution of supplies for Confederate prisoners, 13–15, 20–25, 45, 46, 56, 64, 73, 83, 113, 114, 123, 124, 131, 132, 136, 139, 140, 151, 154, 171, 173, 174, 180, 188–190, 192, 193, 195, 199, 200, 215, 227, 228, 235, 241, 257, 258, 270, 271, 282–284, 289, 306–308, 313–315, 318, 389, 502, 748–750.
Mentioned, 13, 14, 21, 23, 25, 31, 45, 56, 73, 79, 83, 114, 123, 124, 131, 132, 137, 139, 151, 154, 171, 173, 180, 188–190, 192, 193, 195, 199, 200, 227, 230, 236, 241, 257, 258, 270, 271, 282, 283, 289, 306, 314, 502, 713.
Parole, 13–15, 21–23, 27, 28, 31, 40, 63, 64, 79, 113, 114, 713.
Statements of receipts, etc., 313–315, 318, 748–750.
Bearden, M. J., 265.
Beaumont, Eugene B.
Correspondence. See *James H. Wilson.*
Beauregard, G. T.
Correspondence:
Adjutant and Inspector General's Office, C. S. A., 59, 172, 209, 224.
Forno, H., 213.
Roddey, P. D., 179.
Taylor, R., 180.
War Department, C. S., 210, 217, 224.
Winder, J. H., 49, 191.
Mentioned, 49, 180, 181, 184, 191, 212, 213, 218, 264, 328, 451–453, 455.
Use of prisoners in removal of torpedoes, 49, 50.
Beck, Matthew A., 407, 440.
Becker, Martin A., 120, 121.
Beckham, Private, 474, 485.
Beckley, Nicholas C., 53.
Bedel, John.
Correspondence:
Foster, J. G., 101.
Jones, S., 101.
Bell, Mr., 687.
Bell, H. L., 414.
Bell, Joseph McC.
Correspondence. See *John Pope.*
Belle Isle, Va.
Complaints of ill-treatment, 337–353.
Bemiss, S. M.
Correspondence. I. H. White, 625.
Benjamin, Judah P.
Correspondence. See *State Department, C. S.*
Mentioned, 398, 516, 850, 854, 858, 883, 932.
Bennett, Joseph F.
Correspondence. See *Grenville M. Dodge.*
Bennett's House, N. C.
Troops paroled Apr. 26, 1865, 513, 770–772, 828, 829, 836, 837, 842.
Bentley, W. G., 512.
Bering, John A.
Correspondence, E. R. S. Canby, 206.
Mentioned, 206.
Bermuda, Steamer, 409.
Bernaugh, Frank, 409.
Berry, ——, 520.
Berry, John S., & Co., 314.
Berry, Thomas F., 227, 258, 270.
Bertram, Henry.
Correspondence, E. R. S. Canby, 490.
Mentioned, 516, 518, 542, 717, 718.
Big Black River, Miss.
Aubrey Territory, 404, 405, 411, 412, 515, 519, 520.
Biltenton, ——, 197, 273.
Birchett, ——, 196.
Bisart, Edward, 142, 228.
Bise, John, 197.
Bjerg, Werner W., 115.
Black, Charles, 648, 717, 718.
Black, Jeremiah S.
Correspondence, Adjt. Gen.'s Office, U. S. A., 712.
Mentioned, 669.
Black, John D., 560.
Black, W. L., 674, 681, 750, 751, 753, 840.
Black, William B., 530.
Blackburn, Joseph H.
Assault upon J. Wheeler, 726–729.
Mentioned, 726–728.
Blackburn, Luke P., 859, 860.
Blackburn, William, 273.
Blagden, George.
Correspondence, W. Hoffman, 469.
See also *Henry W. Wessells*; also *William Hoffman.*
Blair, Frank P., sr.
Correspondence, Andrew Johnson, 839.
Mentioned, 564, 573, 586.
Blakely, Fort, Ala. Siege, etc., Apr. 2–9, 1865.
Prisoners of war. See *Mobile (Ala.) Campaign.*
Blandford, R. A., 380.
Blane, Gilbert, 622.
Blankman, ——, 493.
Blimline, H., 314.
Blockade-Runners.
Exchange, treatment, etc., 194, 195, 294, 295, 390, 406–409, 485, 506, 575, 580.
Boards of Officers.
Funds of prisoners, 636, 667, 671, 672, 706, 707.
Inspection of Johnson's Island, Ohio, 183.
Physical condition of Jefferson Davis, 953, 954.
Shooting of prisoners by prison guards, 66, 67, 107, 108, 115, 116, 508–510, 692, 693.
Bocock, Thomas S., 68.
Boggs, William R.
Correspondence. See *E. Kirby Smith.*
Boggs, Wilson.
Correspondence, D. W. Magee, 794, 834.
Boice, Daniel R., 129.
Bomford, James V.
Correspondence:
Hoffman, W., 190.
Tallman, A. L., 157.
Bonaparte, Napoleon. See *Napoleon I.*
Bond, Hugh L., 256.
Bonford, P. E.
Correspondence. See *William M. Levy.*

Booth, George W.
Correspondence:
Johnson, B. T., 300.
North Carolina, Governor of, 178.
See also *Bradley T. Johnson.*
Mentioned, 211.
Booth, John Wilkes, 696–699, 812, 852, 855–857, 860.
Boreman, Arthur I.
Correspondence. See *West Virginia, Gov. of.*
Mentioned, 468, 469.
Bosang, ——, 197.
Bossieux, Virginius, 342, 343, 346, 764.
Bostwick, Samuel W.
Correspondence, War Department, U. S., 256.
Mentioned, 256.
Botts, John M., 764.
Bouling, Joel, 196.
Boutwell, George S., 899, 921.
Bowen, J. A., 437.
Bowers, Captain, 389.
Bowers, Theodore S.
Correspondence U. S. Grant, 462.
See also *U. S. Grant.*
Bowie, Walter.
Correspondence, I. H. White, 625.
Bowles, William A., 7–10, 523, 525, 532, 543–548, 583, 586, 587, 637–639, 896, 897.
Boyce, William W.
Correspondence, State Department, U. S., 713.
Boyd, John E., 306.
Boyle, Jeremiah T., 154, 155, 185, 186.
Bracken, C. D., 348.
Bradford, John, 410.
Bradley, Charles.
Correspondence, E. A. Hitchcock, 886.
Bradley, George W.
Correspondence, J. E. Mulford, 421.
Bradley, Joseph C.
Correspondence:
Grierson, B. H., 820.
Johnson, Andrew, 820.
Brady, Allen G.
Correspondence, J. Barnes, 462.
Brady, James T., 399, 925, 975.
Bragg, Braxton.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 286.
Baker, L. S., 288, 304, 305.
Davis, Jefferson, 262.
Forno, H., 212, 305.
Gardner, W. M., 275, 293, 304.
Griswold, E., 311.
Hatch, W. H., 288, 293, 309.
Hoke, R. F., 269, 275.
Holmes, J. C., 270.
Holmes, T. H., 275, 304, 311.
Johnson, B. T., 263, 275.
Lee, R. E., 275, 287, 299, 304.
Ould, R., 269.
Q. M. General's Office, C. S. A., 294, 304.
Sumner, T. J., 264.
War Dept., C. S., 210, 262, 268, 293, 298, 304, 305.
Williams, J. H., 276.
Mentioned, 210, 225, 262, 269, 285, 286, 293, 294, 298, 304, 305, 451.
Brailsford, R. J., 87.
Brandon, William L.
Correspondence, R. Ould, 233.
Mentioned, 382.
Brannan, John, 500.
Brannan, John M.
Correspondence, Adjutant-General's Office, U. S. A., 893, 895.
Mentioned, 871.
Brashear City, La. Capture, June 23, 1863.
Prisoners of war, 60, 65, 66.
Braswell, A. D., 291.
Brayton, George M., 165.
Breck, Samuel.
Correspondence. See *Adjt. Gen.'s Office, U. S. A.*
Breckinridge, John C.
Correspondence:
Burbridge, S. G., 57, 222.
Knoxville, Tenn., Commanding Officer (U.), 58.
Stoneman, G., 134.
See also *War Department, C. S.*
Measures for apprehension of, 747.
Mentioned, 50, 159, 161, 205, 211–213, 251, 261, 265, 267, 275, 278, 282, 285, 288, 293, 305, 312, 333, 335, 356, 422, 428, 443, 451, 458, 516, 747, 855.
Breckinridge, Joseph C.
Correspondence, Abraham Lincoln, 390.
Breckinridge, Robert J., Col., 302, 303, 305, 306, 384, 390, 391, 439, 542, 543, 552, 555.
Breckinridge, Robert J., Rev.
Correspondence, War Department, U. S., 555.
Brenizer, A. G., 499.
Brent, George William.
Correspondence. See *G. T. Beauregard.*
Brent, J. Chambers, 348.
Brick, Thomas, 329.
Bridges, Robert Y., 87, 431.
Brien, M. J.
Correspondence, C. Grover, 530.
Brinton, John H., 56.
Brisbin, James, 409.
Britannia, Steamer, 407.
Britt, James H., 407.
Broadhead, Mrs.
Correspondence, War Department, U. S., 690.
Mentioned, 690.
Broadway, Jesse, 414.
Brock, J. B.
Correspondence, R. Ould, 333.
Mentioned, 351, 353.
Brock, John J., 903.
Brock, Joseph, 903.
Brothers, Oscar C.
Correspondence, W. Hoffman, 156.
Brough, John.
Correspondence. See *Ohio, Governor of.*
Mentioned, 468.
Brown, B. Gratz.
Correspondence, W. Hoffman, 372, 379.
Brown, D. B., 876, 877.
Brown, Egbert B., 648.
Brown, Fountain, 837.
Brown, George Henry, 340, 341.
Brown, Henry.
Correspondence, War Department, C. S., 93.
Brown, J. G., 510.
Brown, J. W., 440.

Brown, James, 869.
Brown, James P., 87.
Brown, John B., 53.
Brown, Joseph E.
Arrest and release, 560, 561, 639.
Correspondence:
Brown, J. E., Mrs., 639.
Johnson, Andrew, 711.
Mentioned, 560, 561, 639, 711.
Brown, Joseph E., Mrs.
Correspondence, J. E. Brown, 639.
Brown, N. Harleston, 204, 240.
Brown, William George, 925, 975.
Brown, William Linn.
Correspondence, War Dept., U. S., 735, 796, 799.
Mentioned, 817.
Browne, Albert G., jr.
Correspondence, Governor of Massachusetts, 634.
Browne, George W., 199.
Browne, Junius H., 810.
Brownell, Alfred, 406.
Browning, W. C., 315.
Bruce, ——, 274.
Bruce, H. G., 142, 229.
Bruce, William, 196.
Brummell, Alfred, 406.
Brusnan, John.
Correspondence, "My dear sister," 52.
Mentioned, 52, 77.
Bryan, George D., 53, 133.
Bryan, S. T., jr.
Correspondence, R. M. Goodwin, 370, 371.
Mentioned, 370–372.
Bryant, Brunnel, 196.
Bryant, Montgomery.
State prisoners, Fort Pulaski, Ga., 674.
Bryant, Oliver E., 658.
Buchanan, Franklin, 15, 59, 84, 85, 146, 153, 158, 203, 226, 233, 236, 243, 260, 316, 365, 392, 403, 431, 460.
Buchanan, James, 669.
Buckner, Joseph, 176.
Buckner, Lewis.
Correspondence, S. E. Jones, 107, 141.
Buckner, Simon B.
Correspondence, C. C. Dwight, 93.
Mentioned, 85, 233.
Buell, Don Carlos.
Correspondence, Army Headquarters, 99.
Mentioned, 98.
Buford, Lieutenant. See *Alice Williams.*
Buford, Abraham, 588.
Buford, Napoleon B.
Correspondence:
Canby, E. R. S., 176, 197.
Wessells, H. W., 177.
Bull, Mr., 136.
Bullitt, Joshua F., 7, 8, 524, 543–545.
Bullock, Mr., 531.
Bullock, W. F., jr.
Correspondence. See *Richard Taylor.*
Burbank, A. J.
Correspondence, Subsistence Dept., U. S. A., 37.
Burbridge, Clinton D., 87.
Burbridge, Stephen G.
Correspondence:
Breckinridge, J. C., 57, 222.
Burbridge, Stephen G.—Continued.
Correspondence:
Halleck, H. W., 99.
Wessells, H. W., 103.
Mentioned, 23, 98, 155, 261, 386, 387.
Burden, Henry, Steamer, 399, 653.
Burdett, Jones & Co., 313.
Burger, George L., 640.
Burger, William L. M.
Correspondence. See *Quincy A. Gillmore.*
Burgess, William S., 28, 87.
Burion, R. F., 274.
Burke, Edmund, 916.
Burke, Martin.
Correspondence:
Adjutant-General's Office, U. S. A., 652, 873, 878.
Dix, J. A., 428, 640.
Hoffman, W., 260, 647, 719, 739.
Hooker, J., 881.
State Department, U. S., 729.
Steelhammer, C., 3, 40, 75, 111, 142.
Wessells, H. W., 3, 31, 41, 75, 90, 112, 124, 143.
Wilson, R. P., 762.
Mentioned, 40, 416, 429, 799.
Burke, Ross E., 125.
Burley, Bennett G., 280, 398, 868.
Burnett, Henry L.
Correspondence:
Hoffman, W., 511.
Hovey, A. P., 523.
War Department, U. S., 523.
Mentioned, 645.
Burnside, Ambrose E.
Correspondence:
Alston, R. A., 186.
Army Headquarters, 99, 100, 186.
Hanson, C. S., 184, 185.
Hartsuff, G. L., 185, 186.
Hoffman, W., 185.
Mason, J. S., 186.
War Department, U. S., 154, 184.
Mentioned, 29, 155, 322.
Burris, Lewis, 509.
Burrows, H., 407.
Burton, Henry S.
Assignments, 961.
Correspondence:
Adjutant-General's Office, U. S. A., 947, 948, 962, 965, 974, 985, 986.
Cooper, G. E., 947, 962, 965–968, 972–976, 980–983.
Gansevoort, H. S., 961.
Prince, J. P., 972.
Wilcox, T. E., 972, 978.
Mentioned, 946, 974, 975, 983–985.
Surrender of Jefferson Davis, 578, 983–986.
Bushong, J. D., 193.
Bushwhackers. See *Guerrillas.*
Busick, Mitchell, 903.
Butler, Benjamin F.
Correspondence:
Adjutant-General's Office, U. S. A., 101, 103.
Carter, S. P., 6.
Grant, U. S., 99, 102, 103, 809, 903.
Hitchcock, E. A., 26, 34, 35, 101–103, 806, 809, 810.
Hoffman, W., 101–103, 809.
Hutchins, B. T., 71.

Butler, Benjamin F.—Continued
Correspondence:
James River, C. O. North Side (C.), 103.
Lincoln, Abraham, 101.
Mulford, J. E., 102, 103.
Navy Department, U. S., 102. 103.
New York Times, Editor of, 102.
Ould, R., 101–103, 808.
Poppleton, O. O., 26, 109, 803.
Provost-Marshal-General, U. S. A., 102.
War Department, U. S., 35, 89, 101–103, 809.
Wessells, H. W., 22, 103.
Mentioned, 13, 63, 87, 97, 98. 147–150, 162, 243, 300, 316, 349, 448, 803, 806–808. 810, 903.
Plan for exchange of prisoners, 147–151, 162, 243, 806–808, 810.
Recognition by C. S. authorities, 149, 150, 162, 243.
Butler, John S., 520.
Butler, William F., jr., 731.
Butler, Camp, Ill.
Monthly returns of prisoners, from July, 1862, to December, 1863, 986–993.
Byrne, Charles C., 348.
Cabell, William L., 59, 60, 233, 397, 430, 489, 491, 494, 496, 508, 514.
Cahaba, Ala.
Case of H. S. Hanchett, 467, 794. 795, 834. 835, 951.
Exchange of prisoners from, 425–427, 436, 445, 465, 470, 515, 519.
Mutiny of prisoners, Jan. 20, 1865, 117–122.
Supplies from U. S. Government, 316.
Caldwell, Robert H., 407, 440.
Calhoun, John C., 524, 737.
Caligula, Caius Cæsar, 916.
Calvin, Martin B., 361.
Calypso, Steamer, 409.
Cameron, John H., 868.
Cameron, John W.
Correspondence:
Grainger, J. B., 277.
Hoke, R. F., 277.
Campbell, George, 768.
Campbell, J. D., 196.
Campbell, James, 158.
Campbell, John A., Hon.
Arrest and confinement, 550, 551, 562, 567, 570, 576, 577, 583, 674, 761.
Conference with Abraham Lincoln, 553, 554
Correspondence:
Manning, W. C., 723, 761.
War Department, C. S., 167, 311.
See also *War Department, C. S.*
Mentioned, 275, 305, 368, 527, 550, 551, 553, 554, 562, 567, 570, 576, 583, 667, 674, 703, 763, 764, 838. 844, 849.
Release on parole, 703, 763, 764, 844.
Campbell, John A., Mrs.
Correspondence, War Department, U. S., 703.
Campbell, John A., Maj.
Correspondence. See *John M. Schofield.*
Campbell, Robert A., 859, 977.
Campbell, Thomas M., 28, 87, 226, 289.
Campbell, William.
Correspondence, Judge-Advocate-General's Office, U. S. A., 937, 938.
Mentioned, 921–923, 934–937, 943, 944, 963, 964, 973, 978, 979.
Canada, Steamer, 170.
Canby, Edward R. S.
Conference with R. Taylor, 514.
Correspondence:
Andrews, G. L., 549.
Applegate, H., 206.
Baker, J. H., 516.
Bering, J. A., 206.
Bertram, H., 490.
Buford, N. B., 176, 197.
Cone, P. S., 206.
Dana, N. J. T., 73, 109, 486, 549. 551.
Defriese, J. M., 206.
Dill, S. P., 206.
Dwight, C. C., 52, 141.
Dye, W. McE., 584, 661.
Edwards, S. S., 206.
Fraunfelter, E., 206.
Goodwin, G. S., 206.
Granger, G., 128, 240, 359, 518.
Halleck, H. W., 2, 20, 51, 52, 79, 100, 129, 240, 496, 498.
Haraszthy, G., 206.
Harned, W. C., 206.
Hazlett, A. H., 206.
Hitchcock, B., 206.
Hitchcock, E. A., 15, 84, 100, 109, 142, 156, 242, 430, 640, 652.
Hoffman, W., 228, 316, 392, 393, 438, 496, 507.
Hughes, T., 206.
Huston, G. W., 206.
Johnson, C. W., 206.
Lincoln, Abraham, 320.
McCulloch, C. F., 206.
McCulloch, J. M., 206.
Massachusetts, Governor of, 634.
Mefford, D., 206.
Milliken, W. B., 206.
Newton, J., 442, 472, 498.
Nolton, C., 206.
O'Conner, T. S., 206.
Paulen, J. W., 206.
Payne, C. A., 206.
Pool, W. C., 206.
Prescott, W., 206.
Sawtelle, C. G., 516.
Sheridan, T., 206.
Smith, A. J., 576, 849.
Smith, E. K., 60, 511.
Smith, T. K., 552.
Srofe, W. J., 206.
Sterling, W. H., 494, 506, 536, 558.
Stevison, J. H., 206.
Taylor, R., 490, 499, 514, 531.
Taylor, R. S., 206.
War Department, U. S., 320, 578, 648.
Watts, J. W., 206.
Wessells, H. W., 15.
White, P. H., 206.
Wyman, H. J., 206.
See also *War Department, U. S.*
Mentioned, 45, 57, 59, 70, 73, 74, 78, 84, 98. 141, 142, 146, 149, 162, 176, 177, 197, 233, 235, 274, 319. 355, 362, 364, 396, 401, 417, 430, 441, 470, 483, 486, 487, 495, 498, 501, 519, 522, 540, 542, 552, 556, 561, 567, 575, 584, 646, 648, 651, 717, 718, 720, 808, 811.
Negotiations with E. K. Smith and R. Taylor, 15, 59, 60, 85, 88, 93, 141, 142, 146, 157, 490, 491.

Cantley, John, 658, 690.
Cantril, George E., 502, 724.
Caraher, Andrew P.
Correspondence, A. J. Johnson, 47, 82, 116, 152, 216.
Carlin, James W., 467.
Carlton, John P., 405.
Carnighan, John, 407.
Caroline, Steamer, 679.
Carothers, Thomas.
Correspondence, G. Granger, 659.
Carrick, Anthony L., 58, 135.
Carrington, Isaac H.
Correspondence:
Doggett, H. S., 68.
War Department, C. S., 69, 94.
Investigation into charges against, 667, 671, 672, 706, 707.
Mentioned, 457, 512, 671, 672, 706, 707.
Cartels.
Banks-Taylor, Jan. 4, 1864, 15, 59, 60, 85, 88, 93, 141, 142, 146, 157.
Canby-Smith, July 28, 1864, 15, 59, 60, 84, 85, 88, 93, 146, 156, 157, 430, 483, 491.
Carter-Vaughn agreement, Dec. 1, 1864, 377.
Dix-Hill, July 22, 1862, 219, 227, 228, 530.
Dwight-Watts agreement, Aug. 23, 1864, 316, 317.
Forrest-Thomas agreement, 238, 243, 244, 323–328, 332, 335, 354, 402, 448, 478.
Forrest-Washburn agreement, 31, 32, 58, 73, 109, 242, 243, 478.
Granger-Roddey agreement, 105, 157, 179, 180, 198, 199, 220, 244, 284, 290, 336.
Grant-Lee negotiations for release of citizens, 236, 261, 267, 268, 282, 294, 329, 368, 391, 392, 419, 424.
Grant-Ould agreement, Apr. 10, 1865, 488, 489.
Mulford-Ould agreements:
Aug. 10, 1864, 98, 206, 238, 244, 268, 269, 275, 276, 285–290, 293, 296–299, 329, 414, 420.
Sept. 10, 1864, 63, 74, 79, 80, 86–88, 95, 109, 136, 170, 171, 196, 208, 225, 231, 364, 391, 392, 394–396, 413, 414, 423, 439, 440.
Feb. 14, 1865, 219, 227, 228.
Ord-Longstreet agreement, 315, 401.
Scammon-Jones agreement, 284, 426, 436, 445, 465, 470, 487.
Smith-Watts-Henderson, Feb. 21 and Mar. 16, 1865, 284, 285, 404, 405, 411, 412, 425, 426, 477, 515.
Carter, D. Drake, 87, 407.
Carter, Hosea B., 977.
Carter, John C., 708.
Carter, Samuel P.
Correspondence:
Butler, B. F., 6.
Hitchcock, E. A., 25.
Hoffman, W., 193.
Mentioned, 70, 71, 135, 196, 197, 223, 267, 272, 273, 377.
Carter, William H.
Correspondence, Judge-Advocate-General's Office, U. S. A., 939.
Mentioned, 879, 880, 891, 937–939, 942, 944, 973, 979.
Caruthers, Robert L., 325.
Cashmyer, Ph.
Correspondence, N. P. Chipman, 753, 764.
Mentioned, 920.
Treatment of prisoners, 753, 754, 764–766.
Casteel, T. C., 87, 176, 177, 197.
Castle Godwin, Va.
Complaints of ill-treatment, 764, 765.
Castleman, John B., 87, 368, 369, 477, 511, 519, 704.
Castleman, Lewis, 859.
Castle Thunder, Va.
Arrests, trials, etc., of prison officials, 782, 783.
Complaints of ill-treatment, 765.
Management, needs, etc., 93, 94.
Cathey, Lee, 421.
Catiline, Lucius Sergius, 863, 864.
Chance, William A., 116.
Chandler, Daniel T.
Correspondence:
Ord, E. O. C., 526.
War Department, U. S., 527.
White, I. H., 625.
Mentioned, 451, 527.
Statement, Andersonville prison, 527–529.
Chandler, Lucius H.
Correspondence:
Adjutant-General's Office, U. S. A., 985.
War Department, U. S., 984.
Mentioned, 984, 985.
Chandler, Zachariah.
Correspondence:
Johnson, Andrew, 736.
Mallory, S. R., 737, 738.
Chandler, Zachariah, Mrs., 738.
Chapel, Artemus.
Correspondence:
Hoffman, W., 190.
Roberts, H., 18, 37, 81, 105, 190.
Chapin, W. B., 315.
Chapman, Richard, 632.
Charleston, S. C.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Charleston Harbor, S. C.
Officers under fire, 39, 74, 216, 432, 433.
Charlotte, N. C.
Confinement of officers, 210, 217, 224, 225, 234, 263.
Excitement of prisoners over exchange, 270.
Management, needs, etc., 263.
Prisoners ordered to Wilmington, 274, 298, 299.
Removals of prisoners, 378.
Security of prisoners, 224, 225.
Charlotte, N. C., Post Quartermaster (C.).
Correspondence, War Department, C. S., 210.
Charlton, Thomas J., 151.
Chase, Salmon P.
Correspondence:
Dickson, W. M., 35.
Johnson, Andrew, 715, 716.
Measures for trial of Jefferson Davis, 715, 716.
Mentioned, 843, 984.
Chase, William H., 866.
Chase, Camp, Ohio.
Complaints of ill-treatment, 347, 348.
Conspiracy to release prisoners, 6–11, 523, 525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, etc., 106, 205, 206, 380, 381.
Management, needs, etc., 47, 180.
Monthly returns of prisoners, from July, 1862, to July, 1865, 986–1003.
Prisoner killed by fellow-prisoner, 637.

Chase, Camp, Ohio—Continued.
Prisoners on parole, 229, 230.
Sick and wounded, 689, 690, 693, 694.
Smallpox, 106, 381.
Chattanooga, Tenn.
Inspections, 164, 165.
Troops paroled, 828, 829.
Cheatham, R. S., 766, 783.
Cherokee, Steamer, 409.
Chesapeake, Steamer, 295.
Chesnut, James, jr., 96, 451.
Chester, Samuel K., 977.
Chevers, Mark L., 647.
Chicago, Ill.
Conspiracy to destroy, 54, 502, 503, 573, 644–646, 684–689, 724, 725.
"Chickamauga," 779.
Chilton, Robert H.
Correspondence, Adjutant and Inspector General's Office, C. S. A., 138.
See also *Adjt. and Insp. Gen.'s Office, C. S. A.*
Mentioned, 245.
Chipman, Norton P.
Correspondence:
Adjutant-General's Office, U. S. A., 746.
Cashmyer, P., 753, 764.
Judge-Advocate-General's Office, U. S. A., 735, 736, 746.
Mentioned, 773, 776, 779, 780.
Chisman, S. R.
Correspondence:
Hatch, W. H., 299.
Johnson, B. T., 299.
Christensen, Christian T.
Correspondence. See *Edward R. S. Canby.*
Christian, Lea & Co.
Correspondence, E. A. Hitchcock, 873, 886, 889, 893.
Mentioned, 873.
Christian Commission, U. S.
Correspondence, R. Ould, 92.
Measures for relief of prisoners of war, 1, 2, 89, 92, 122, 123.
Mentioned, 1, 89, 122.
Chrysler, Morgan H., 157.
Church, Nathan.
Correspondence. See *Nelson A. Miles.*
Mentioned, 560, 710.
Cicero, Marcus Tullius, 863.
Cimarron, U. S. S., 488.
Cincinnati, Ohio.
Military prison. See *McLean Barracks, Ohio.*
Cist, Henry M.
Correspondence. See *George H. Thomas.*
Citizens.
Arrests, etc., 33, 86, 87.
Banks' order, return of civilian, 529, 534.
Captured at Gettysburg, Pa., July 1–3, 1863, 426.
Complaints of ill-treatment, 370–372.
Confined in Texas penitentiary, 659.
Employés of C. S. Government, 406, 529, 534, 578–580.
Engaged in plot to release prisoners, Johnson's Island, Ohio, 6–11, 523, 525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 706, 708, 709, 739, 873, 896, 897.
Citizens—Continued.
Exchange of, held as prisoners, 25, 26, 60, 70, 71, 135, 146, 147, 159, 196, 197, 223–225, 236, 257, 261, 267, 268, 272–274, 282, 294, 308, 309, 329, 335, 368–370, 377, 378, 380, 381, 390–393, 401, 410, 411, 418, 420, 421, 424–426, 470, 656, 658.
Executions, 131.
Females, 34, 104.
Final release of, held as prisoners, 585, 654–656, 658, 659, 683, 923, 924, 929.
McIntosh County, Ga., 146, 147, 257.
Newspaper correspondents in captivity, 88, 89, 810.
Newspaper editors, arrest, confinement, etc., 641, 653, 657, 712, 715–717, 720, 725, 728, 736, 739, 740, 744, 746, 754, 761, 763, 767, 769, 775, 782.
Orders, State Department, U. S., 390.
Punishment of, held as prisoners, 370, 371.
Rights under Appomattox capitulation, 506.
Trading with enemy, 33, 114, 115.
Transfer from Fort Lafayette, N. Y., to Fort Warren, Mass., 379.
Women and children permitted within lines, 153, 158, 203.
Women and children sent beyond lines, 559, 562.
See also *Political Prisoners.*
City Point, Va.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Civil Courts.
Indictment of prisoners of war, 651.
Clara Louisa, Schooner, 409.
Clark, Alpheus D., 509.
Clark, Benjamin F., 196.
Clark, Charles.
Correspondence, W. C. Manning, 723.
Mentioned, 578, 674, 763, 764.
Clark, Henry E.
Correspondence, War Department, U. S., 227.
Clark, J. C., 315.
Clark, John B.
Correspondence, P. H. Sheridan, 761.
Mentioned, 755, 760, 761, 782, 784, 794, 795, 845, 870.
Clark, Thomas L., 516.
Clarke, Charles E., 67.
Clarke, Frank, 473.
Clarke, Reuben G., 131, 308, 389.
Clarkson, William A., 196.
Claude, Hammond, 395, 396, 436.
Clay, Clement C., jr.
Accusations against, 696–698, 708, 833, 843, 847–861, 867–869, 876–880, 890–892, 931–945.
Confinement at Fort Monroe, Va.:
Authority to place in irons, 565.
Condition, treatment, etc., 559, 560, 563–566, 571, 577, 578, 657, 673, 682, 695, 703, 706, 712, 715–720, 736, 739, 740, 744, 746, 747, 754, 755, 761, 763, 767, 769, 775, 834, 840–842, 846, 847, 861, 867, 869, 871, 872, 880–883, 885–890, 892–894.
Correspondence:
Johnson, Andrew, 812.
State Department, C. S., 858.
Mentioned, 553, 558–560, 563–566, 571, 577, 657, 673, 682, 695, 696, 703, 706, 708, 709, 712, 715, 717–720, 736, 739, 740, 744, 746, 747, 754, 761, 763, 767, 769, 775, 833, 834, 840–843, 846–848, 852, 855–861, 867–869, 871, 872, 874–883, 885–894, 896–900, 931–933, 935, 937, 939–941, 944, 945, 962, 964, 977, 978.

Clay, Clement C., jr.—Continued.
Parole, 892, 899.
Rumors of plots to release, 706.
Writ of habeas corpus, 577, 578.
Clay, Clement C., jr., Mrs., 558, 559, 564, 573, 585, 718, 719, 744, 747, 761, 841, 842, 846, 872, 889.
Clay, Clement C., sr., 86, 87.
Clay, Hugh L.
Correspondence. See *Adjutant and Inspector General's Office, C. S. A.*
Clayton, Henry D., 453.
Cleary, William C., 549, 696, 856, 857, 859, 899, 977.
Clergymen.
Divine services in prisons or camps, 271.
Clifton, U. S. S., 316.
Clifton, William C.
Correspondence, U. S. Grant, 648.
Clopton, David.
Correspondence, War Department, C. S., 69.
Mentioned, 69.
Clopton, John, 263.
Clothing.
Prisoners of war, 23–25, 36, 66, 90, 105, 106, 135, 137, 151, 154, 163, 180, 195, 196, 258.
Clyde, Steamer, 558, 559, 562–566.
Cobb, Howell.
Correspondence:
Gibbs, G. C., 532.
Grover, C., 403, 492.
Taylor, R., 378, 382.
Wilson, J. H., 508.
Mentioned, 46, 47, 378, 404, 417, 446, 560, 573, 578, 789, 791.
Parley with T. M. Key, June 15, 1862, 46, 47.
Cobb, John D., Mrs., 153, 158, 203.
Cochrane, John H., 153.
Cocke, Thomas A.
Correspondence, Jefferson Davis, 201.
Cockrell, Francis M., 552.
Codori, George, 426.
Coffey, H.
Correspondence, U. S. Grant, 556.
Coffman, W. S., 93.
Cogswell, Milton.
Correspondence, J. A. Dix, 282.
Mentioned, 282.
Cole, Charles H., 706, 708, 709, 739, 873, 878, 881.
Cole, Thomas J., 620.
Colfax, Schuyler.
Correspondence. See *Congress, U. S.*
Colgrove, Silas, 7, 543.
Collins, Arnott D., 183.
Collins, Paul W., 274.
Collins, William H., 508.
Columbia, S. C.
Abandonment, etc., 213, 214.
Change of prison site, 83, 86, 127.
Conversion of greenbacks, 131.
Escapes of prisoners, 443, 444, 449–457.
Funds of prisoners, 54, 110, 131, 446, 456.
Management, needs, etc., 168, 443, 444, 449.
Removal of prisoners, 127, 209, 210, 213, 217, 218, 225, 234, 378, 437, 438, 449–457.
Security of prisoners, 209–213, 225.
Subsistence supplies, 159.
Treatment of prisoners, 345.
Columbus, Fort, N. Y. Harbor.
Inspections, 157.
Management, needs, etc., 190.
Monthly returns of prisoners, from July, 1862, to April, 1865, 986, 987, 991, 992, 994, 995, 998–1001.
Columbus (Ohio) Arsenal.
Conspiracy to seize, 6–11, 523–525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Columbus (Ohio) Penitentiary.
Complaints of ill-treatment, 347.
Comer, E. J., 100.
Commissary-General of Prisoners (C.).
Correspondence. See *John H. Winder, William M. Gardner,* and *Daniel Ruggles.*
Establishment of headquarters, 5, 417, 466.
Gardner, W. M.:
Appointed temporarily, 205, 417.
Relieved, 337.
Imboden, J. D., assigned to command prisons in Ga., Ala., and Miss., 12.
Inspection of prisons, 470, 471, 473.
Instructions to B. T. Johnson, 479.
Jurisdiction and duties, 442, 443.
Orders for parole and delivery of all Union prisoners, 225, 535.
Orders, Circulars, series 1865: (Gardner) **Feb. 14,** 225.
Orders, General, series 1865: (Gardner) **No. 5,** 417; **No. 6,** 422; (Imboden) **No. 2,** 122; (Ruggles) **No. 1,** 433; **Apr. 26,** 516; (Winder) **No. 1,** 5; **No. 3,** 195.
Orders, Special, series 1865: (Ruggles) **No. 2,** 470; **Nos. 3, 5,** 473; (Winder) **No. 1,** 12.
Pillow, G. J., appointed and relieved, 205, 224.
Regulations governing prisoners of war, 457, 458.
Ruggles, D., appointed, 427, 428, 433, 447.
Side-arms and property of prisoners, 457, 458.
Commissary-General of Prisoners (U.).
Annual report of E. A. Hitchcock, 968–972.
Consolidated statements of prisoners, 1, 770–772, 821–832.
Correspondence. See *Ethan A. Hitchcock* and *William Hoffman.*
Hitchcock, E. A., assigned, 784.
Hoffman, William:
Assigned, 162.
Relieved, 784.
Instructions governing prisons or camps, 201, 271, 295, 296, 302, 331, 332, 372, 409.
Mortality in Union and Confederate prisons, 946–948.
Notice to claimants, prisoners' money, 906.
Orders, Circulars, series 1865: **No. 2,** 215; **June 17,** 656.
Orders, General, series 1865: **No. 1,** 62, 152.
Orders, Special, series 1864: **No. 49,** 15.
Orders, Special, series 1865: **No. 2,** 22; **No. 12,** 80; **No. 17,** 104.
Paroled prisoners, 410, 563, 634, 635.
Political prisoners, 647.
Prison fund, 767, 768.
Prisoners declining exchange, 220, 237, 260, 271, 272.
Prisoners received and delivered for exchange, Nov. 25, 1864–Apr. 22, 1865, 504, 521–523.
Supervision and control of prisoners, 484, 647, 648.

Commissary-General of Prisoners (U.)—Cont'd.
Trade with sutlers, 187, 188, 215.
Transportation, 192, 363, 366, 367, 383.
Wessells, H. W., relieved, 156.
Company Shops, N. C.
Removal of prisoners, 263.
Compton, William B., 87.
Conduct of the War.
Use of prisoners in removal of torpedoes, 49, 50.
Cone, P. S.
Correspondence, E. R. S. Canby, 206.
Confederate Currency.
Prisoners' funds, 131, 172, 312, 313, 706, 707.
Proposition to send to Union prisoners, 154, 163.
Confederate Troops.
Infantry—*Battalions:* **Tucker's Foreign,** 254; **8th,** 254.
Congress, C. S.
Arrest and banishment of ex-members, 68, 69, 471, 472, 500, 504, 526, 532, 557, 664.
Correspondence:
Davis, Jefferson, 398.
Morris, J. D., 383.
Execution of J. Y. Beall, 398–400, 416.
Measures of retaliation, 197.
Treatment of prisoners of war, 49, 337–353.
Congress, U. S.
Cobb-Key parley, June 15, 1862, 46, 47.
Correspondence:
Johnson, Andrew, 843.
Lincoln, Abraham, 46.
Turner, L. C., 921.
War Department, U. S., 97, 255, 809, 842, 898, 903, 948.
Exchange of prisoners, 46, 47, 97–103, 113.
Execution of prisoners, 2d N. C. (Union), 903, 904.
Mortality in prisons, 946, 947.
Political or state prisoners, 255–257.
Taxes on cotton, 283.
Trial of Jefferson Davis, 843–845, 898, 899.
Connecticut Troops.
Infantry—*Regiments:* **17th,** 635, 656.
Conner, H. W., & Co., 54, 55.
Conover, Sanford.
Correspondence, Judge-Advocate-General's Office, U. S. A., 932–936, 938, 939, 941, 963.
Mentioned, 921–923, 931, 933, 936–939, 941–945, 962–964, 973, 978–980.
Subornation of witnesses, 921–923, 931–945, 962–964, 973, 974, 976–980.
Conover, Sanford, Mrs., 974.
Conroy, Edward, 798.
Constitution, Steamer, 658.
Converse, J. C., & Co., 315.
Conway, George, 777.
Cooke, David G., 19, 48, 171.
Cooley, S. W., 431.
Coolidge, Richard H.
Correspondence, M. Mills, 329.
Mentioned, 48.
Cooper, George E.
Correspondence:
Adjutant-General's Office, U. S. A., 908, 915.
Burton, H. S., 947, 962, 965–968, 972–976, 980–983.
Harrison, B. N., 920.
Hoffman, W., 6, 56.
Cooper, George E.—Continued.
Correspondence:
Miles, N. A., 846, 871, 875, 880, 882, 883, 886, 887, 889, 892, 894, 897, 900, 901, 904, 907, 913, 920, 921, 925, 929–931, 945, 946, 949–952, 954, 956.
Thomas, G. H., 6.
Mentioned, 6, 846, 871, 874, 875, 880, 882, 883, 885, 887, 892, 894, 896, 899, 901, 904, 906, 907, 909, 913–915, 917–921, 924, 925, 929–931, 945, 948–950, 952, 954, 956, 965.
Cooper, George E., Mrs., 919.
Cooper, Joseph A.
Correspondence, J. D. Cox, 633.
Cooper, Samuel, General.
Correspondence. See *Adjutant and Inspector General's Office, C. S. A.*
Mentioned, 121, 168, 198, 311, 366, 422, 458, 478, 479.
Cooper, Samuel, Private, 87.
Copeland, Joseph T., 695.
Corday, Charlotte, 936.
Cornelius, James E., 66.
Correspondence.
Prisoners of war, 52, 53, 76, 77.
Cosmopolitan, Steamer, 643.
Cotter, James, 151.
Cotton.
Revenue tax, 282–284, 314.
Sales of, for relief of Confederate prisoners, 2, 13–15, 20–24, 27, 30, 51, 52, 57, 63, 64, 67–70, 73, 74, 77–79, 82, 83, 90, 113, 114, 123, 124, 128, 129, 137, 151, 166, 199, 200, 202–204, 227, 233, 240–242, 257, 282–284, 308, 313–315, 356, 359, 365, 389, 434, 459, 487, 489, 502, 558, 661.
Coulton, John, 197.
Courts-Martial.
Davis, S. B., 132, 133.
Harris, B. G., 632, 633, 842.
Sentences for imprisonment during the war remitted, 580.
Courts of Inquiry.
Request for, of J. Holt, 964, 965.
Cowen, A. B., 196.
Cowen, Benjamin S.
Correspondence, War Department, U. S., 256.
Mentioned, 256.
Cox, Jacob D.
Correspondence, J. A. Cooper, 633.
Cox, Robert, 117, 119.
Coyner, William R., 395.
Cragg, Robert, 196.
Craig, Samuel R., 189.
Crane, Charles H.
Correspondence, Surg. Gen.'s Office, U. S. A., 953.
Craney Island, Va.
Hospital, 482, 493.
Proposed depot for prisoners, 469, 477, 482.
Craven, John J.
Correspondence:
Davidson, J. H., 493.
Hoffman, W., 494.
Miles, N. A., 720, 740.
Mentioned, 739, 740.
Crawford, James W., 115.
Crawley, W. H., 407.
Crocker, Frederick.
Correspondence, J. S. Palmer, 316.

Crockford, Captain, 248, 250.
Cross, Andrew B.
Correspondence, H. W. Wessells, 48.
Crouch, ———, 197, 273.
Crow, W. P., 347.
Crowely, Barney, 93.
Croxton, John T., 402.
Cruft, Charles, 20.
Cumberland, Md.
Troops paroled, 828, 829.
Cumberland, Department of the (U.).
Prisoners captured Sept. 7, 1864–Jan. 20, 1865, 96.
Cummings, Willoughby. See *Samuel Boyer Davis.*
Cunningham, Arthur S.
Correspondence, Adjutant and Inspector General's Office, C. S. A., 139.
Curell, James R.
Correspondence:
Dwight, C. C., 153, 158, 203, 274.
Taylor, R., 490.
Mentioned, 403, 489, 490.
Curtin, Andrew G., 426.
Curtis, Newton Martin.
Correspondence. See *Edward O. C. Ord.*
Curtis, Samuel R.
Correspondence, Army Headquarters, 99.
Mentioned, 98.
Curtiss, Jacob S.
Correspondence, N. J. T. Dana, 520.
Cushman, Albert W., 87.
Cuthrell, Charles, 903.
Cutler, Nathan.
Correspondence, F. D. Sewall, 555.
Mentioned, 563.
Cutts, James M.
Correspondence, E. A. Hitchcock, 967.
Cuyler, John M.
Correspondence:
Lyman, G. H., 660, 664.
Surgeon-General's Office, U. S. A., 464, 660.
Mentioned, 464.
Dahlgren, John A.
Correspondence, Q. A. Gillmore, 488.
Mentioned, 146, 257.
Dahlgren, Ulric, 344.
Dalrymple, E. P., 340, 341.
Dalton, Ga. Action at, Oct. 13, 1864.
Prisoners of war, 175, 176.
Dana, Charles A.
Correspondence, War Department, U. S., 563.
See also *War Department, U. S.*
Mentioned, 262, 658.
Dana, Napoleon J. T.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 477, 481, 486, 523.
Andrews, G. L., 556.
Canby, E. R. S., 73, 109, 486, 549, 551.
Curtiss, J. S., 520.
Davenport, E. L., 486.
Forrest, N. B., 31, 32, 58, 73, 109.
Grant, U. S., 477, 481, 483.
Henderson, H. A. M., 498, 537.
Hoffman, W., 491, 492, 514, 539, 554.
Smith, M. L., 425.
Watts, N. G., 488, 498, 515, 519.
Mentioned, 483, 486, 488, 489, 492, 520, 522, 537, 549.
Dana, Napoleon J. T.—Continued.
Negotiations with N. B. Forrest, 31, 32, 58, 73, 109, 242, 243.
Daniel, Charles Travis, 502, 644, 684, 685, 724.
Danville, Va.
Inspections, 139.
Management, needs, etc., 33, 474–476, 480.
Prisoners on hand, 437.
Removal of prisoners, 33.
Supplies from U. S. Government, 167, 220.
Darby, J. A., 142, 229.
Darien, Ga.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Darling, H. A., 926.
Davenport, Ed. L.
Correspondence, N. J. T. Dana, 486.
Mentioned, 540.
Davenport, Henry K., 674, 675, 751.
Davids Island, N. Y. Harbor.
Transfers of prisoners, 684, 691.
Davidson, J. Ham.
Correspondence:
Craven, J. J., 493.
Harold, J., 505.
Hoffman, W., 488, 505, 508.
Mentioned, 494, 508, 510, 692, 693.
Davidson, J. W.
Correspondence, A. A. Stevens, 2, 44, 113, 144, 209, 310, 358, 412, 506.
Davidson, James H., 778.
Davis, Lieutenant, 87, 455.
Davis, C. E., 93.
Davis, C. W.
Correspondence, L. F. Fix, 497.
Davis, Daniel, 307, 308, 413, 414.
Davis, G. W., 407.
Davis, George, 798, 799.
Davis, Hugh L., 274.
Davis, J. W., 407.
Davis, Jefferson.
Accusations against, 516, 655, 666, 696–698, 815, 816, 843, 847–855, 883–885, 890–892, 921–923, 931–945, 962–965, 976–980.
Confinement at Fort Monroe, Va.:
Condition and treatment, 559–566, 570, 571, 573, 577, 578, 639, 640, 642, 647, 691, 695, 710–712, 715–720, 736, 739, 740–743, 746–748, 754–761, 763, 767, 769, 770, 772, 773, 775, 834–836, 840–842, 846, 847, 867, 869–872, 874, 875, 880–883, 885–887, 889, 892–894, 896, 897, 900–902, 904–921, 925, 926, 929–931, 945–956, 962, 965–968, 972–976, 978, 980–983.
Description and plan of Carroll Hall, 755–760.
Newspaper reports of ill-treatment, 914–920.
Parole within limits of fort, 913, 914.
Placed in irons, 565, 571, 577.
Red tape episode, 841.
Report of medical board, 953, 954.
Requests interview with Seward, 573.
Rumors of plots to release, 706.
Surg. Gen. J. K. Barnes' report, 924.
Visitors, 666, 690, 766, 767, 821, 833–836, 871, 872, 874–876, 900–902, 904, 905, 910–913, 925, 974, 975.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 86.
Alabama, Governor of, 365.

Davis, Jefferson—Continued.
Correspondence:
Allen, W. G., 201.
Alston, W., 838, 839.
Bragg, B., 262.
Cocke, T. A., 201.
Congress, C. S., 398.
Goodloe, J. L., 201.
Jefevat, G. U. B., 201.
Johnson, B. T., 501.
Morgan, M. D., 201.
Navy Department, C. S., 398.
O'Conor, C., 634, 655.
Ould, R., 381, 400.
Perkins, J. W., 201.
Perryman, W. J., 201.
Robertson, C. H., 201.
Toadvine, D. A., 201.
Wallace, A. D., 201.
War Department, C. S., 202, 839.
Measures for trial of, 715, 716, 798.
Mentioned, 86, 133, 147, 149, 150, 202, 205, 281, 288, 344, 352, 398, 516, 523, 528, 534, 550, 555, 558–560, 563–566, 569–571, 573, 577, 624, 639, 640, 642, 647, 648, 655–657, 663, 666, 673, 683, 684, 690, 691, 693, 695, 696, 706, 710–713, 715, 716, 718–720, 727, 736, 737, 739–742, 744, 746–748, 754–756, 761, 763, 766–769, 772, 774, 775, 789, 791, 794, 798, 800, 804, 805, 807, 816, 818, 821, 833–836, 838–856, 864, 867, 869, 871, 872, 874, 875, 879–887, 889–894, 896–902, 904–921, 924, 925, 929–933, 935–938, 940, 942, 944–956, 962, 964–968, 972–978, 980–986.
Opinion of Attorney-General, U. S., 844, 845.
Perjury of witnesses, 921–923, 964, 965, 978–980.
Pursuit and capture, May 1–10, 1865, 523, 555, 558, 559, 569, 570.
Reasons for non-trial, 794, 844, 845.
Resolutions of U. S. Congress respecting trial, etc., 843–845, 847–867, 898, 899.
Tender of legal services, 634, 639, 640, 642, 647, 655, 657, 658, 666, 691, 763, 766.
Treasure captured with, 768, 769.
Writ of habeas corpus, 577, 578, 983–986.
Davis, Jefferson, Mrs.
Correspondence:
Adjutant-General's Office, U. S. A., 901, 902.
Attorney-General's Office, U. S., 870, 875.
Johnson, Andrew, 874, 900, 902.
Meigs, M. C., 666.
Miles, N. A., 747.
Mentioned, 558, 559, 562, 564, 571, 573, 585, 683, 684, 717, 719, 720, 748, 769, 772, 840, 841, 869, 874, 889, 900–902, 904, 905, 907, 909, 918, 919, 924, 947, 949, 953, 975.
Davis, John, 958.
Davis, Lizzie, Steamer, 407.
Davis, Murray, 653, 654.
Davis, Robert H., 87, 95.
Davis, Ross, 407.
Davis, Samuel Boyer, 132, 133, 181, 191, 204, 216, 261, 262, 309, 735, 736, 774, 837.
Davis, Varina. See *Mrs. Jefferson Davis.*
Day, Thomas W., 440.
Dean, J. S., 795.
Dean, William A., 314.
Deer, Steamer, 575, 580.
Defriese, John M.
Correspondence, E. R. S. Canby, 206.
Delafield, Edward, 337.
Delaware, Fort, Del.
Complaints of ill-treatment, 347.
Final release of Confederate officers, 673.
Inspections, 40, 80, 112, 143.
Management, needs, etc., 114, 180.
Monthly returns of prisoners, from July, 1862, to July, 1865, 986–1003.
Political prisoners, 660.
Reduction of prison establishment, 727.
Supplies from respective Governments, 114.
Transfers of prisoners, 191, 192, 243, 294, 379.
Demming, Lorenzo, 78.
Dennis, Elias S., 542, 718.
Dent, Frederick T.
Correspondence. See *U. S. Grant.*
Dent, John, 317, 320, 381.
De Russy, Fort, La.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Deserters.
Confederate, 242, 309, 320, 441, 442, 500, 501.
Deuel, J. M., 315.
Deveny, John, 977.
Devine, Thomas J., 820.
Devlin, B.
Correspondence, War Department, U. S., 549, 552.
Deynoodt, Joseph, 768.
Dibrell, Richard H., 340, 341.
Dickey, William H., 717.
Dickson, W. M.
Correspondence, S. P. Chase, 35.
Digges, Charles N., 567.
Dill, Samuel P.
Correspondence, E. R. S. Canby, 206.
Dillingham, John, 59.
Dillon, Joseph, 296.
Dillon, R., 313.
Dinking, Chapman, 103.
Director, Schooner, 408.
Dix, John A.
Correspondence:
Allen, H. A., 196, 574.
Army Headquarters, 99.
Beall, W. N. R., 21.
Burke, M., 428, 640.
Cogswell, M., 282.
Foote, H. S., 472.
Grant, U. S., 641.
Hoffman, W., 260, 379.
War Department, U. S., 83, 91, 471, 472, 504, 519, 532, 557, 568, 572, 573, 577, 658, 799, 809.
Instructions, confinement of political prisoners, 640.
Mentioned, 21, 195, 229, 256, 280–282, 398–400, 415, 416, 640, 653, 657, 799.
Negotiations with D. H. Hill, 799.
Dobbs, L. D., 6.
Dodd, Harrison H., 7, 525, 543, 544, 685.
Dodge, Grenville M.
Correspondence:
Baker, J. H., 377.
Fisk, C. B., 469.
Pope, J., 358, 469.

Dodge, Grenville M.—Continued.
Correspondence:
Randolph, J. F., 377.
Rex, G., 376.
Mentioned, 18, 19, 377, 516, 659, 661, 694, 704.
Proposition to enlist prisoners to serve against Indians, 359.
Doggett, H. S.
Correspondence:
Carrington, I. H., 68.
Orders, series 1865: **No. 4**, 69.
War Department, C. S., 68.
Donaldsonville, La. Attack on, June 28, 1863.
Prisoners of war, 15, 59, 85, 88, 93, 141, 142, 146, 157, 483.
Dorr, Joseph B.
Correspondence, Abraham Lincoln, 101.
Dorsey, W. F., 476.
Dotson, M., 164, 291, 379.
Doubleday, Abner, 114.
Doubloon, Steamer, 317.
Dougherty, Hardy, 903.
Doughty, Charles H.
Correspondence:
Provost-Marshal-General, U. S. A., 517.
War Department, U. S., 493, 517.
Douglas, D. G., 87.
Douglas, Camp, Ill.
Clothing, 66.
Complaints of ill-treatment, 347, 348.
Conspiracy to release prisoners, 6–11, 54, 502, 503, 523–525, 532, 533, 543–549, 573, 583, 584, 586–588, 637–639, 644–646, 684–689, 724, 725, 896, 897, 928.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, 44, 76, 144, 145.
Management, needs, etc., 180.
Monthly returns of prisoners, from July, 1862, to July, 1865, 986–1003.
Orders, Special, series 1865: **No. 12**, 66; **No. 23**, 115.
Prisoner murdered by fellow prisoner, 401, 403, 405.
Shooting of prisoners, 66, 67, 115, 116.
Sick and wounded, 689, 690, 693, 694.
Sutlers, 145.
Douglass, Mr., 879, 940, 941.
Douglass, Captain, 751.
Douglass, De Witt C., 431.
Douglass, Sarah, 878, 879, 891, 921–923, 940–944, 963.
Dow, Neal, 29, 343, 347.
Dozier, A. W., 87.
Drake, Charles. See *D. Drake Carter.*
Drane, H. M., 277, 451.
Draper, J. W., 476.
Duane, James C., 185.
Du Bose, Dudley M., 334.
Duke, Basil W., 838, 839.
Duncan, James W., 782, 783, 789, 791, 819, 820, 926–928.
Duncan, W. A., 984.
Duncan, Sherman & Co.
Correspondence, J. J. Lewis, 283.
Mentioned, 282, 283, 749.
Dunham. See *Sanford Conover.*
Dunham, Mrs. See *Sarah Douglass.*
Dunham, Albert B., 67.
Durham Station, N. C.
Troops paroled Apr. 26, 1865, 513, 770–772, 828, 829, 836, 837, 842.
Dusky, George, 87, 104, 129, 130.
Dwight, Charles C.
Correspondence:
Banks, N. P., 100.
Buckner, S. B., 93.
Canby, E. R. S., 52, 141.
Curell, J. R., 153, 158, 203, 274.
Franklin, W. B., 100.
Herron, F. J., 472.
Hitchcock, E. A., 364, 396, 491.
Lee, S. P., 365.
Levy, W. M., 100.
McCulloch, J. M., 196.
Palmer, J. S., 45.
Szymanski, I., 59, 65, 85, 146, 232, 402, 430.
Ullmann, D., 84, 88, 146, 157.
Mentioned, 45, 52, 228, 229, 319, 438, 467, 476, 489, 491, 494–496, 508, 540, 585.
Dye, William McE.
Correspondence:
Canby, E. R. S., 584, 661.
Hoffman, W., 643.
Dyer, Clarence H.
Correspondence. See *Edward R. S. Canby.*
Dyer, Jacob S., 87.
Eakin, George N., 58, 193.
Earl St. Vincent. See *John Jervis.*
Early, Jubal A., 372.
East, Department of the (U.).
Orders, General, series 1865: **No. 17**, 279, 398; **No. 24**, 414.
East Tennessee.
Bushwhackers, 369, 370.
Exchange of citizens held as prisoners, 25, 26, 70, 71, 135, 196, 197, 223, 224, 267, 268, 272–274, 335, 369, 370, 377, 378.
Political prisoners, 369, 370.
Easter, H., & Co., 314.
Eaton, Amos B.
Correspondence. See *Subsistence Dept., U.S.A.*
Mentioned, 13, 38.
Echols, John.
Correspondence:
Feeny, G. S., 277.
Gillespie, B., 277.
Johnson, W., 277.
Ould, R., 389.
Vaughn, J. C., 389.
Mentioned, 267, 307.
Echols, R. J.
Correspondence, B. T. Johnson, 263.
Eckert, Thomas T.
Correspondence:
Augusta, Ga., Telegraph Operator, 666.
Miles, N. A., 743.
Sheldon, G. D., 741, 743.
War Department, U. S., 746, 747.
See also *War Department, U. S.*
Mentioned, 742.
Edgar, William F.
Correspondence, Surg. Gen.'s Office, U.S.A., 660.
Edmands, Thomas F.
Correspondence, A. Ordway, 667, 671, 706.

Edsall, Thomas H., 925, 975.
Edwards, John, 407.
Edwards, S. S.
Correspondence, E. R. S. Canby, 206.
Eggling, Edward G., 805.
Egypt Station, Miss. Engagement, Dec. 28, 1864.
Prisoners of war, 124–126, 201, 358, 359, 552, 554.
Elisher, Isaac, 516.
Elkins, J. M., 142, 229.
Ella and Anna, Steamer, 408, 409.
Elliott, Thomas W., 307, 431, 743.
Ellis, Charles E., 164.
Ellis, Henry M., 142, 229.
Elmira, N. Y.
Complaints of ill-treatment, 52, 53, 76, 77, 347.
Correspondence of prisoners, 52, 53, 76, 77.
Damage by flood, 419, 420.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, 34, 39, 181, 209, 701, 702.
Monthly returns of prisoners, from July, 1864, to July, 1865, 997–1003.
Management, needs, etc., 65.
Sick and wounded, 689, 690, 693, 694.
Smallpox, 24, 25.
Supplies from Confederate Government, 23, 24, 90, 105, 106, 137.
Elwell, J. J., 195.
Emack, George M., 764, 783.
Embert, John R. H., 87, 114, 115, 132, 395, 436, 650.
Emerson, Joseph C., 71.
Emery, Frederic W.
Correspondence. See *Gordon Granger.*
Emmons, William H. H.
Correspondence. See *Napoleon J. T. Dana.*
Emory, Thomas, 53.
Emory, William H.
Correspondence, W. S. Hancock, 488.
Mentioned, 636, 715.
English, James W., 308.
Esteph, Henry P., 28, 739.
Eubanks, B. F., 637, 671.
Eubanks, Jack, 509.
Evans, Edwin A., 746.
Evans, Estwick.
Correspondence, Andrew Johnson, 792.
Evarts, William M., 985.
Everett, George B., 509.
Eversman, Henry, 183.
Ewell, Benjamin S., 527.
Ewell, Richard S.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 312, 366.
Johnson, Andrew, 582.
Pegram, J. W., 300.
War Department, C. S., 311.
Ewell, Richard S., Mrs.
Correspondence, G. H. Thomas, 506.
Mentioned, 501, 507, 513.
Ewing, H. T., 361.
Exchange, Delivery, etc., of Prisoners.
Annual report of—
Hitchcock, E. A., 799–811.
War Department, U. S., 811, 812.
Aubrey Territory, 404, 405, 411, 412, 477, 515, 519, 520.
Baton Rouge, La., 364, 365, 438, 439.
Exchange, Delivery, etc., of Prisoners—Cont'd.
Blakely, Ala., Apr. 2–9, 1865, 490.
Blockade-runners, 194, 195, 294, 295, 390, 406–409, 485, 506, 575, 580.
Brashear City, La., June 23, 1863, 60, 65, 66.
Butler's plan, 147–151, 162, 243, 806–808, 810.
Cartels. See *Cartels.*
Charleston, S. C., 218, 219, 353, 354, 356, 373, 375, 413, 424.
Citizens held as prisoners, 25, 26, 60, 70, 71, 135, 146, 147, 159, 196, 197, 223–225, 236, 257, 261, 267, 268, 272–274, 282, 294, 308, 309, 329, 335, 368–370, 377, 378, 380, 381, 390–393, 401, 410, 411, 418, 419, 421, 424–426, 470, 483, 656, 658.
City Point, Va., 258, 259, 375, 418.
Civilian employés, 486.
Congress, U. S., 97–103, 113.
Crews of merchant vessels, 219, 227, 228, 294, 295, 394, 407–409, 439, 485.
Darien, Ga., 403, 484, 485, 488–504, 512, 513, 521.
Declarations, orders, etc.:
Confederate, 336, 356, 466, 486.
Instructions governing, 474, 481, 482.
Union, 45, 319, 336, 353, 356, 374, 403, 410, 411, 413, 418, 473, 474, 476, 478, 481, 486, 494, 504, 512, 513, 523, 540, 549, 585, 820, 821.
Deliveries prevented by military operations, 382, 418, 419.
Delivery suspended, 444, 462, 465.
De Russy, Fort, La., 146, 157, 233.
Designation of points of delivery, 238, 357, 374, 417, 427, 489.
Detention from, to be tried for murder, 409.
Donaldsonville, La., June 28, 1863, 15, 59, 85, 88, 93, 141, 142, 146, 157, 396, 397, 402, 403, 430, 431, 466, 483, 489–491, 494–498, 507, 508.
East Tennessee, 25, 26, 70, 71, 135, 196, 197, 223, 224, 267, 268, 272–274, 335, 369, 370, 377, 378.
Entering enemy's lines by mistake, 315, 401.
Errors in rank on parole-rolls, 331, 332, 360, 361.
Exchanged prisoners, 311, 312, 338, 339, 373.
Flag-of-truce boats, 300, 309, 310, 333, 334.
Forwarding for delivery, 229, 233, 244, 260–264, 266–270, 274–276, 286–290, 293, 294, 297–301, 304–310, 317, 320, 322, 329, 335, 359, 360, 365, 366, 418, 419, 446, 447, 449–457, 466, 467, 496, 512.
Grant's views regarding, 170, 363.
Guerrillas, 176–178, 201, 306, 313, 317, 322, 360, 383–389, 421, 431, 550, 741, 742, 817, 818, 820, 821.
Helena, Ark., July 4, 1863, 15, 59, 85, 88, 93, 141, 142, 146, 157, 396, 397, 402, 403, 430, 431, 466, 483, 489–491, 494–498, 507, 508.
Instructions governing receipt and delivery, 188, 438, 439, 444, 447, 448, 481, 482, 498.
Jacksonville, Fla., 425–427, 436, 445, 465, 470, 487, 505, 532, 563, 634, 635, 642, 643, 656.
James River, Va., 217, 353, 354, 356, 373, 413, 419, 420.
Measures for care of prisoners delivered, 297.
Mechanics, 59.
Medical officers, 58, 95, 134, 135, 156, 193, 277–279.
Mobile, Ala., 32, 153, 158, 203, 277, 364, 365, 378, 382, 403, 417, 438, 444, 461.
Mobile Bay, Ala., Aug. 2–23, 1864, 15, 32, 84, 85, 146, 153, 158, 203, 226, 233, 236, 243, 260, 316, 365, 392, 403, 431, 460, 811.
Mobile (Ala.) campaign, Mar. 17–May 4, 1865, 490, 491, 499.

Exchange, Delivery, etc., of Prisoners—Cont'd.
Naval, 15, 45, 59, 78, 83–85, 91, 133, 146, 147, 153, 156, 158, 163, 170, 203, 204, 214, 226, 233, 236, 243, 257, 260, 265, 289, 294, 316, 317, 329, 365, 392, 394, 403, 406–410, 411, 427, 431, 440, 460, 811.
Negroes. See *Negroes.*
Newport Bridge, Fla., Mar. 5–6, 1865, 405, 406, 411, 441, 442, 472.
Newspaper correspondents, 88, 89, 810.
Nurses, 393, 394.
Officers. See *Officers.*
Paroling prior to delivery, 188.
Political prisoners, 313, 317, 320, 329, 380, 381, 394.
Price's expedition into Missouri, Aug. 29–Dec. 2, 1864, 59, 60, 233, 396, 397, 430, 489, 491, 494, 496–498, 507, 508, 511–514.
Priority in ratio to length of captivity, 237, 356, 357, 374, 375, 443.
Priority upon taking oath of allegiance, 187.
Pulaski, Fort, Fla., 218, 219, 419, 432, 433.
Red River campaign, Mar. 10–May 22, 1864, 45.
Red River Landing, La., 45, 59, 85, 88, 93, 141, 142, 146, 157, 232, 319, 365, 402, 403, 460, 483, 494, 521, 540, 549, 561, 584, 585, 643.
Resumption of general exchange, 238, 239, 243, 244, 262, 263, 266, 268.
Rico's Bluff, Fla., 405, 406, 411, 441, 442, 472.
Savannah, Ga., 258, 259, 353, 354, 356, 373, 375, 413, 417, 424.
Selections of points of delivery, 304, 305, 382.
Sick and wounded, 97, 231, 232, 235, 239, 269, 277, 310, 331–334, 363, 375, 464, 465, 477, 478, 493, 664–666, 689, 690, 693, 694.
South, Department of the (U.), 219, 236, 289, 309, 332, 431, 484, 485, 488.
Spanish Fort, Ala., Mar. 27–Apr. 8, 1865, 490.
Special, 31, 32, 58, 61, 73, 95, 109, 194, 197, 208, 233, 322, 332, 410, 443, 447, 528.
Specific equivalents, 59, 60, 123, 199, 233, 307.
Spies, 301, 306, 394–396.
Statement of R. Ould to C. S. Congress, 351–353.
Steele-Smith captures, 15, 59, 85, 88, 93, 141, 142, 146, 157, 396, 397, 402, 403, 430, 431, 466, 483, 489–491, 494–498, 507, 508.
Trans-Mississippi, 15, 59, 60, 65, 66, 84, 85, 88, 93, 141, 142, 146, 156, 157, 173, 215, 216, 228, 229, 235, 396, 397, 402, 403, 430, 431, 466, 483, 489–491, 494–498, 507, 508, 511–514, 531, 575, 576.
Transportation, 300, 309, 310, 333, 334, 351–353, 363, 366, 367, 383.
Unable to bear sea voyage, 235.
Under charges, 291, 409.
Vicksburg, Miss., 481, 483, 484, 486, 487, 491–493, 504, 519–523, 537, 539, 540, 549, 555, 556, 585.
Vicksburg prisoners surrendered July 4, 1863, 233, 234.
West Mississippi, Military Division of (U.), 45, 316, 319, 365, 460, 575, 576.
Wilmington, N. C., 235, 262, 263, 268, 269, 275, 276, 285–290, 293, 294, 296–299, 303–305, 309, 310, 313, 315, 317, 358, 373, 374, 420, 421.
Winding up of business of agents, 661.
Faber, C. C. & H. M., 313.
Fabricius (Roman Consul), 850.
Fauntleroy, Dr., 476.
Feaster, Mrs., 160.
Feeny, C. S.
Correspondence, J. Echols, 277.
Mentioned, 58, 193.
Fellows, John R., 131.
Fennell, John P., 342, 348.
Ferguson, Samuel W., 328.
Fessenden, Joshua A., 905, 914.
Fessenden, William P.
Correspondence, War Department, U. S., 517.
Ficklen, Joseph B., 68.
Fielding, Mr., 686.
Finegan, Joseph.
Correspondence, D. L. Yulee, 866.
Mentioned, 862, 866.
Finegas, Henry, 977.
Finn, Richard, 328, 329.
Fisk, Clinton B.
Correspondence, G. M. Dodge, 469.
Mentioned, 469.
Fitch, George W.
Attempted murder by captors, 19, 20, 48, 64, 65, 171, 172, 393, 425.
Correspondence, W. Innes, 19, 48.
Mentioned, 48, 171, 393.
Fitzgerald, P. F.
Correspondence, W. Hoffman, 156.
Fitzhugh, C. L., 93.
Fix, L. F.
Correspondence, C. W. Davis, 497.
Flags of Truce.
Boats, 300, 333, 334.
Release of prisoners taken while under, 474, 485.
Transportation of prisoners delivered, 300, 309, 310, 333, 334.
Flemming, Robert H., 207.
Fletcher, T. M., 296.
Flinn, John M., 29.
Florence, S. C.
Arrest and trial of prison officials, 782, 783.
Complaints of ill-treatment, 754, 765, 766.
Escape of prisoners, 449–457.
Inquiries for dead and missing prisoners, 729, 730.
Inspections, 137–139.
Management, needs, etc., 160, 161, 218.
Number of prisoners, 137.
Removal of prisoners, 13, 96, 127, 161, 172, 181, 191, 209–213, 218, 224, 225, 234, 238, 239, 244, 245, 449–457.
Scarcity of subsistence, 160, 161, 172.
Security of prisoners, 209–213.
Winder, J. H., urges parole of prisoners, 96.
Florida, C. S. S., 83, 91, 133, 151, 163, 170.
Florida.
Operations in. See—
Natural Bridge. Action at, Mar. 6, 1865.
Newport Bridge. Skirmish, Mar. 5–6, 1865.
Troops paroled, 828, 829.
Florida, Governor of.
Correspondence, Florida Convention, 833, 866.
Florida Convention.
Correspondence:
Florida, Governor of, 833, 866.
Mallory, S. R., 833, 866.
Florida Troops (C.).
Artillery, Light—*Batteries:* Leon,* 613.
Floyd, Richard S., 53.

* Also called Florida Light Artillery.

Folk, William H.
Correspondence, H. W. Wessells, 480.
Follen, Mr., 425.
Folsom, L. B.
Correspondence, S. E. Jones, 35.
Foote, Henry S.
Correspondence:
Dix, J. A., 472.
Johnson, Andrew, 526.
Mentioned, 68, 69, 471, 472, 500, 504, 526, 532, 557, 664.
Foote, Henry S., Mrs., 68.
Ford, George, 164.
Ford, James, 867.
Ford, Camp, Tex.
Supplies for prisoners, 196.
Foreigners.
Arrested and held as prisoners, 184, 575, 580.
Forno, Henry.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 202.
Beauregard, G. T., 213.
Bragg, B., 212, 305.
Gardner, W. M., 218, 225, 378, 451–453.
Gee, J. H., 245.
Griswold, E., 455.
Hoke, R. F., 244.
Hoke, W. J., 452, 453.
Holmes, T. H., 218, 452, 453.
Iverson, J. F., 139.
Johnson, B. T., 213, 218, 270, 294, 299, 452.
Richardson, J. S., 437.
Ruggles, D., 463, 476.
Stevenson, R. R., 213.
Stewart, T. R., 443.
War Department, C. S., 263, 274, 298.
Winder, J. H., 137.
Mentioned, 139, 211, 213, 217, 226, 234, 263, 412, 444, 446, 450, 462, 475.
Forrest, Nathan B.
Correspondence:
Dana, N. J. T., 31, 32, 58, 73, 109.
Parkhurst, J. G., 325, 326, 335, 402.
Rousseau, L. H., 31, 73, 109.
Taylor, R., 328.
Thomas, G. H., 164, 243, 327.
Mentioned, 19, 48, 64, 109, 117, 164, 171, 238, 244, 285, 322, 324–327, 332, 354, 355, 402, 412, 417, 448, 478, 493, 803.
Negotiations with:
Dana, N. J. T., 31, 32, 58, 73, 109, 242, 243.
Parkhurst, J. G., 244, 323–328, 354, 402, 448.
Rousseau, L. H., 31, 32, 58, 73, 109, 242, 243.
Thomas, G. H., 238, 242–244, 323–328, 332, 335, 354, 402, 448, 478.
Washburn, C. C., 31, 32, 58, 73, 109, 242, 243, 478.
Remarks respecting guerrillas, 325, 327, 328.
Forrest & Schafer, 313.
Forsyth, John, 679.
Fortune, Schooner, 409.
Foster, Charles W.
Correspondence. See *Adjt. Gen.'s Office, U. S. A.*
Foster, John G.
Correspondence:
Army Headquarters, 99.
Bedel, J., 101.
Foster, John G.—Continued.
Correspondence:
Grover, C., 163.
Halleck, H. W., 39, 100, 101.
Jones, S., 100, 101.
Woodford, S. L., 101.
Mentioned, 98, 162, 219, 309, 419, 632.
Foster, Osmond F., 120, 121.
Fowler, Charles, 59.
Fowler, Charles H., 691.
Fox, Mr., 197, 370, 371.
Fox, Gustavus V.
Correspondence. See *Navy Department, U. S.*
Frailey, James Madison, 562.
Fraley, J. F., 42'
Franklin, C. M., 360, 361.
Franklin, William B.
Correspondence:
Banks, N. P., 100.
Dwight, C. C., 100.
Green, T., 100.
Molineux, E. L., 100.
Taylor, R., 100.
Mentioned, 460.
Fraser, John, & Co., 768.
Fraunfelter, Elias.
Correspondence, E. R. S. Canby, 206.
Mentioned, 643.
Frazer, Edward, 296.
Freeman, John, 903.
Freeman, Lewis, 903.
Freeman, Miles J.
Correspondence, J. E. Mulford, 266.
Mentioned, 407.
Frey, Edwin.
Correspondence, J. Washburn, 81, 151.
Frost, Griffin, 370.
Fry, Colonel, 389.
Fry, Birkett D., 797.
Fry, James B.
Correspondence. See *Prov. Mar. Gen., U. S. A.*
Mentioned, 469, 747.
Fulcher, Joseph H., 903.
Fulton, Charles C.
Correspondence, War Department, U. S., 809, 810.
Fulton, Samuel, 207.
Gaines, Fort, Ala. Surrender, Aug. 8, 1864.
Prisoners of war. See *Mobile Bay, Ala.*
Gains, John, 509.
Galloway, Samuel.
Correspondence:
Hoffman, W., 445, 468, 496.
Turner, L. C., 257.
Mentioned, 496.
Gamble, William, 567.
Gance, William, 407.
Gandy, Lieutenant, 87, 104, 129, 130.
Gansevoort, Henry S.
Correspondence, H. S. Burton, 961.
See also *Nelson A. Miles.*
Gantz, William, 440.
Gardiner, John H.
Correspondence, A. P. Hovey, 638.
Mentioned, 588, 637, 639.
Gardner, William H., 58.

Gardner, William M.
Com. Gen. of Prisoners (temporary), 205, 417.
Correspondence:
Adjutant and Inspector General's Office, C. S. A., 159, 211, 265, 365, 403, 411, 412.
Bragg, B., 275, 293, 304.
Forno, H., 218, 225, 378, 451–453.
Johnson, B. T., 212, 218, 239, 263, 264, 269, 275, 287, 293, 304.
Ould, R., 191, 198, 208, 233.
War Department, C. S., 311.
Winder, J. H., 33.
Mentioned, 109, 194, 205, 211, 225, 275, 337, 417, 423, 452–454, 461, 476, 707.
Orders, Circulars, series 1865: **Feb. 14**, 225.
Orders, General, series 1865: **No. 5**, 417; **No. 6**, 422.
Relieved as Com. Gen. of Prisoners, 337.
Garlington, A. C., 451.
Garretson, George C., 718.
Garrison, George T.
Correspondence:
Miles, N. A., 798.
Winder, R. B., 534, 817.
Mentioned, 744, 745.
Gaulemarela, Steamer, 751.
Gay, Sydney H., 262, 932.
Gay, Thomas S., 78, 214.
Gayer, W. J., 55.
Gayle, George W., 658, 690, 848.
Gayle, Richard H., 407, 427.
Gee, John H.
Arrest and trial, 782, 783, 819, 881, 882, 956–960.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 238.
Forno, H., 245.
Johnson, B. T., 245.
Management of Salisbury prison, N. C., 633.
Mentioned, 246, 249–251, 783, 819, 881, 882, 957–960.
General Prim, Schooner, 408.
George, J. N., 326.
George, James Z., 131.
Georgia.
Operations in. See—
Dalton. Action at, Oct. 13, 1864.
McIntosh County. Expedition, Aug. 2–4, 1864.
Troops paroled, 828, 829.
Georgia, Department of (C.).
Orders, General, series 1866: **No. 4**, 871.
Georgia, Governor of.
Administration of amnesty oath, 711.
Georgia Troops (C.).
Artillery, Light—*Batteries:* **Ferrell's**, 199.
Infantry—*Regiments:* **1st Reserves** (*Fannin*), 613; **2d Reserves**, 126, 613; **3d Reserves**, 613; **4th Reserves**, 613; **55th**, 137, 613.
Gettysburg, Pa. Battle, July 1–3, 1863.
Citizens captured, 426.
Ghormley, Samuel, 197.
Gibbs, George C.
Correspondence:
Cobb, H., 532.
McCook, E. M., 552.
Ruggles, D., 471, 487.
Winder, J. H., 54.
Mentioned, 553, 731, 765.
Gibbs, Oliver.
Correspondence, War Department, U. S., 906.
Gibson, Augustus A.
Correspondence:
Adjutant-General's Office, U. S. A., 764.
Wessells, H. W., 53.
Woodman, W. H., 35.
Gibson, O. W., 3, 41, 75, 112, 142, 762.
Gibson, Randall L.
Correspondence, R. Taylor, 542.
Gibson, William.
Correspondence, S. Jones, 405, 411.
Mentioned, 472.
Giddings, Joshua, 939.
Gifford, Captain, 351, 353.
Gilbert, Judge, 881.
Gillem, Alvan C.
Correspondence, J. C. Vaughn, 208.
Gillespie, Benjamin.
Correspondence, J. Echols, 277.
Mentioned, 58, 193.
Gillette, P. H., 716, 718.
Gillmore, Quincy A.
Correspondence:
Adjutant-General's Office, U. S. A., 404, 640, 647, 664, 690, 692, 709, 743.
Dahlgren, J. A., 488.
Grant, U. S., 309, 445, 446.
Gray, J. C., jr., 484.
Grover, C., 530.
Halleck, H. W., 216, 266, 332.
Hardee, W. J., 236.
Hoffman, W., 656.
Scammon, E. P., 445, 465.
Thompson, B. W., 639.
Vogdes, I., 658.
War Department, U. S., 667, 701.
Young, P. M. B., 374.
Mentioned, 289, 419, 470, 487, 504, 530, 577, 583, 635, 639, 642, 670.
Parole of G. A. Trenholm, 692, 701, 709.
Gilmer, John H.
Correspondence, War Department, U. S., 960.
Mentioned, 966.
Gilmor, Harry W., 183.
Gilmore, Samuel.
Correspondence, A. Ordway, 744.
Mentioned, 745.
Giltner, Henry L., 520.
Gladstone, William E., 916.
Glover, W. C., 87.
Godwin, Archibald C., 764, 765, 783.
Goff, Nathan, jr.
Correspondence, W. T. Willey, 34.
Mentioned, 130.
Goforth, ——, 197, 273.
Goldsborough, N. C.
Fair Grounds Hospital, 378.
Prisoners in transit, 287, 288, 294.
Selection for prison depot, 245.
Goodloe, James L.
Correspondence, Jefferson Davis, 201.
Goodman, Charles, 66, 189.
Goodman, James M., 211, 246, 248–251, 265.
Goodwin, G. S.
Correspondence, E. R. S. Canby, 206.

Goodwin, Robert M.
Correspondence:
Bryan, S. T., jr., 370, 371.
Thomas, G. H., 371.
Trowbridge, L. S., 369, 371.
Gordon, George H.
Correspondence:
Hoffman, W., 482.
Ord, E. O. C., 650.
Gordon, William F., jr., 342, 413.
Gorman, Private, 230.
Gossett, Robert T., 421.
Gough, J., 93.
Grady, T. J., 674, 681, 750, 751, 753, 905.
Graham, Ansel Byron, 868.
Graham, C. W., 108.
Graham, Frank, 959.
Graham, Malcomb D., 95.
Grainger, J. B.
Correspondence, J. W. Cameron, 277.
Granger, Gordon.
Correspondence:
Canby, E. R. S., 128, 240, 359, 518.
Carothers, T., 659.
Maury, D. H., 240, 316, 354–356, 362, 374, 396.
Noyes, F. G., 27, 67, 82, 129, 240.
Mentioned, 20, 27, 57, 67, 77, 78, 129, 356, 361, 362, 659, 748.
Granger, Robert S.
Correspondence:
Hoffman, W., 290.
Roddey, P. D., 157, 179, 198.
Thomas, G. H., 157, 220, 284, 336.
Wessells, H. W., 220.
Mentioned, 105.
Negotiations and agreement with P. D. Roddey, 105, 157, 179, 180, 198, 199, 220, 244, 284, 290, 336.
Grant, Judge, 16.
Grant, U. S.
Correspondence:
Army Headquarters, 99.
Babcock, O. E., 694, 704.
Baber, M. D., 648.
Bowers, T. S., 462.
Butler, B. F., 99, 102, 103, 809, 903.
Clifton, W. C., 648.
Coffey, H., 556.
Dana, N. J. T., 477, 481, 483.
Dix, J. A., 641.
Gillmore, Q. A., 309, 445, 446.
Halleck, H. W., 13, 56, 73, 74, 78, 100, 113, 140, 227, 235, 241, 242, 257, 270, 289, 534, 535, 576, 809, 811.
Hayes, J., 167.
Hitchcock, E. A., 34, 102, 234, 435.
Hoffman, W., 173, 188, 191, 218, 219, 242, 258, 289, 294, 306, 309, 313, 317, 329, 335, 359, 363, 366, 391, 392, 400, 403, 405, 418, 423, 428, 435, 444, 447, 469, 477, 480, 568, 582, 585, 635, 653, 654, 682, 689, 700.
Humphrys, J., 556.
Johnson, Andrew, 815, 840.
Johnston, J. E., 814.
Lee, R. E., 236, 261, 282, 285, 290, 329, 393, 425, 517, 651.
Lehman, M., 69, 166.
Lincoln, Abraham, 23, 301, 368, 809.
McAfee, A. L., 648.
Grant, U. S.—Continued.
Correspondence:
Meade, G. G., 401.
Mulford, J. E., 63, 74, 89, 170, 171, 187, 217, 219, 227, 235, 294, 301, 306, 309, 310, 313, 317, 320, 336, 418–420, 424, 446, 447, 462, 721, 809.
Navy Department, U. S., 103, 214.
Ord, E. O. C., 187, 313.
Ould, R., 14, 45, 57, 70, 74, 83, 89, 91, 99, 113, 122, 202, 206, 216, 240, 368, 379, 380, 413, 414, 482.
Pope, J., 644.
Reynolds, J. J., 521.
Schofield, J. M., 289, 317, 420.
Semmes, R., 836.
Smith, J. E., 651.
Sweet, B. J., 649.
Thomas, G. H., 235, 238, 357, 361, 369–372, 425, 448, 536.
Tichenor, I. T, 69, 166.
War Department, U. S., 46, 98, 99, 128, 167, 170, 182, 188, 226, 368, 382, 383, 556, 558, 560, 561, 649, 673, 682, 689, 703, 719, 809–811.
Williams, G. A., 489.
Final release of Confederate prisoners, 682, 683.
Indictment of paroled prisoners, 651.
Instructions respecting guerrillas, 306, 313, 317.
Invitation to insurgents to lay down arms, 521.
Mentioned, 2, 15, 22, 27, 40, 64, 73, 79, 84, 89, 91, 97–99, 109, 114, 128, 130, 132, 136, 139, 147, 148, 150, 177, 187, 192, 197, 199, 204, 211, 212, 215, 219, 226, 228, 235, 236, 238, 240–244, 257, 259, 260, 262, 266–268, 282, 283, 286–289, 293, 298, 299, 303–305, 309, 313–316, 329, 349, 355, 362–365, 368, 369, 371–374, 379, 381, 383, 387, 389, 392–394, 396, 410, 419, 421, 424–427, 429, 432, 436, 442, 444, 459, 462, 465, 470, 477, 480, 483, 484, 486–489, 496, 498, 499, 511, 512, 519, 520, 522, 533, 534, 536, 539, 550, 556, 560, 561, 568, 571, 572, 577, 582, 587, 633, 636, 651, 653, 656, 682, 695, 696, 698, 699, 704, 706, 708, 722, 748, 801, 802, 804, 808, 842, 857, 878, 880, 884, 888, 891, 898, 903, 940.
Negotiations with R. E. Lee, exchange of citizen prisoners, 236, 261, 267, 268, 282, 294, 329, 368, 391, 392, 419, 424.
Suspends delivery of prisoners, 462.
Views regarding exchange of prisoners, 170, 363.
Grass, Daniel, 31, 32, 322, 332.
Gratiot Street Prison, Mo.
Confinement separately of certain persons, 296.
Hospital, 376, 377.
Inspections, 18, 19, 116, 117, 221, 222, 440, 441, 497.
Management, needs, etc., 306, 307, 376, 377.
Monthly returns of prisoners. See *Saint Louis, Mo.*
Prisoners transferred from Alton, Ill., 661.
Shooting of prisoners, 291, 292.
Graves, W. D., 658, 690.
Gray, George W., 777, 780.
Gray, John C., jr.
Correspondence, Q. A. Gillmore, 484.
Mentioned, 488.
Grear, Thomas, 361.
Green, Lewis, 409.
Green, Thomas.
Correspondence, W. B. Franklin, 100.
Mentioned, 98.

Greensborough, N. C.
Arsenal attached for rent, 499-501.
Forwarding prisoners to Wilmington, 287.
Selection, etc., as prison depot, 270.
Troops paroled near, Apr. 26, 1865, 513, 770-772, 836, 837, 842.
Greenwood, M. M., 314.
Grenfel, George St. Leger.
Conspiracy to release prisoners at Camp Douglas, Ill., 54, 502, 503, 573, 644-646, 684-689, 724, 725, 928.
Correspondence, Judge-Advocate-General's Office, U. S. A., 928.
Mentioned, 54, 502, 644, 684-689, 724, 725, 928.
Grice, Mr., 277.
Grierson, Benjamin H.
Correspondence:
Bradley, J. C., 820.
Johnson, Andrew, 818.
Mentioned, 124-126, 201, 554, 817.
Griffin, A. B., 795.
Griffin, Benjamin, 407.
Grimes, A. C., 347, 395.
Grissam, Samuel, 407.
Grisson, Charles E., 892.
Griswold, Elias.
Assignments, 433.
Correspondence:
Bragg, B., 311.
Forno, H., 455.
Johnson, B. T., 263.
Winder, J. H., 54, 110.
Mentioned, 110, 213, 433, 437, 443, 444, 450, 451, 454, 461, 462.
Relieved from duty, 461, 462.
Removal of prisoners from Columbia, 455-457.
Grogan, R. R., 476.
Grover, Cuvier.
Correspondence:
Brien, M. J., 530.
Cobb, H., 403, 492.
Foster, J. G., 163.
Gillmore, Q. A., 530.
Quartermaster-General's Office, U. S. A., 683.
Mentioned, 309, 417, 683.
Guerin, H. C., 159.
Guerrillas.
Arkansas, 176-178.
Disputed status of Mosby's command, 93, 431, 432.
East Tennessee, 369, 370.
Exchange, treatment, etc., 176-178, 201, 306, 313, 317, 322, 360, 383-389, 421, 431, 550, 741, 742, 817, 818, 820, 821.
Execution of citizens for harboring, 131.
Murder of prisoners by, 163, 164, 291, 379.
Remarks of N. B. Forrest, 325, 327, 328.
Guess, George W., 59.
Gulf, Department of the (U.).
Orders, General, series 1865: **(Hurlbut) No. 37,** 494; **(Banks) No. 46,** 520; **No. 47,** 521; **No. 50,** 529; **No. 51,** 534.
Orders, Special, series 1865: **(Hurlbut) No. 97,** 487.
Gulf, District of the (C.).
Orders, Circulars, series 1864: **Oct. 15,** 27.
Gunnell, James, 93.
Gurley, Frank B., 87, 431, 550, 572, 741-743, 817, 818, 820, 821, 898.
Guthwright, John R., 87.
Gwin, William M., 755, 760, 845, 870, 897, 898, 900, 902, 905, 909.
Gwinn, J. Crawford, 426.
Habeas Corpus, Writ of.
Clay, C. C., jr., 577, 578.
Cole, C. H., 873, 878, 881.
Davis, Jefferson, 577, 578, 983-986.
Indiana conspirators, 532, 533.
Haddock, William, 903.
Hall, H. H., 142, 229.
Hall, Hiram L., 877, 878.
Hall, Samuel, 774.
Hall, Thomas W.
Correspondence, Adjutant and Inspector General's Office, C. S. A., 168, 205, 245.
Mentioned, 251, 254.
Hall, William, 197, 223, 267, 272.
Halleck, Henry W.
Correspondence:
Adjutant-General's Office, U. S. A., 242, 902, 905.
Augur, C. C., 151, 486.
Burbridge, S. G., 99.
Canby, E. R. S., 2, 20, 51, 52, 79, 100, 129, 240, 496, 498.
Foster, J. G., 39, 100, 101.
Gillmore, Q. A., 216, 266, 332.
Grant, U. S., 13, 56, 73, 74, 78, 100, 113, 140, 227, 235, 241, 242, 257, 270, 289, 534, 535, 576, 809, 811.
Hampton Roads, Senior Naval Officer at, 583.
Hancock, W. S., 485.
Heintzelman, S. P., 100.
Hitchcock, E. A., 100.
Hoffman, W., 100, 101, 203, 226, 227, 237, 257, 289, 383, 656.
Hunter, R. M. T., 551.
Miles, N. A., 564, 565, 570, 577.
Ord, E. O. C., 567, 583, 636.
Paine, H. E., 13, 14, 21, 79, 114, 131, 139, 188, 195, 258, 282.
Pritchard, B. D., 562, 566.
Radford, W., 566.
Reynolds, J. J., 501.
Schofield, J. M., 235, 572, 652, 653.
Sherman, W. T., 100.
Terry, A. H., 668, 672.
Thomas, G. H., 319, 366, 496.
War Department, U. S., 99, 113, 234, 239, 282, 529-531, 542, 550, 551, 553, 559-562, 570, 577, 583.
Wessells, H. W., 74.
See also *Army Headquarters*.
Exchange of prisoners against their will, 234, 239, 240.
Imprisonment, etc., of Jefferson Davis, 559-562, 564-566, 570, 577, 578.
Mentioned, 21, 31, 85, 98, 128, 132, 149, 186, 193, 195, 513, 559, 560, 564, 571, 657, 805, 806.
Halyburton, James D., 69.
Hamilton, John, 53.
Hamilton, Richard, 78.
Hamlin, Hannibal.
Correspondence, War Department, U. S., 517.
Mentioned, 940.
Hammarberg, Godfrey, 120.
Hammer, W. C., 408.

Hammermister, Eugenia, 805.
Hammond, William M.
Correspondence, I. H. White, 625.
Mentioned, 198.
Hampton, Wade.
Correspondence, W. T. Sherman, 303.
Mentioned, 213.
Treatment of foraging parties, 303.
Hampton Roads, Senior Naval Officer at.
Correspondence, H. W. Halleck, 583.
Hanchett, George W., 794.
Hanchett, Hiram S., 117–122, 467, 794, 795, 834, 835, 951.
Hancock, Winfield S.
Correspondence:
Emory, W. H., 488.
Halleck, H. W., 485.
Mentioned, 533, 567, 568, 700, 715.
Hanes, Lewis C., 265.
Hanly, T. B.
Correspondence, War Department, C. S., 363.
Hanna, John.
Correspondence, Judge-Advocate-General's Office, U. S. A., 525, 532.
Hansell, Emrick W., 697.
Hanson, Charles S.
Correspondence, A. E. Burnside, 184, 185.
Mentioned, 154–156, 184–187.
Hanson, Thompson, 120, 121.
Haraszthy, Gaza.
Correspondence, E. R. S. Canby, 206.
Hardee, William J.
Correspondence:
Gillmore, Q. A., 236.
Schofield, J. M., 315, 317.
Mentioned, 55, 127, 146, 309, 317, 450, 451.
Hardie, James A.
Correspondence. See *War Department, U. S.*
Mentioned, 882.
Hardin, M. A., 408.
Hare, J. J. Clarke, 337.
Hargrove, Tazewell L., 432.
Harley, Bernard, 78.
Harman, Asher W., 95.
Harned, W. C.
Correspondence, E. R. S. Canby, 206.
Harold, John.
Correspondence, J. H. Davidson, 505.
Mentioned, 692, 693.
Harper, Alexander, 426.
Harper, George, 696.
Harper, William, 426.
Harris, Benjamin, 789, 791.
Harris, Benjamin G., 632, 633, 842.
Harris, Charles M., 15, 38.
Harris, Edwin, 231.
Harris, M. N., 973, 979.
Harris, Shadrick, 6, 26, 71, 159, 208, 225, 230, 307, 364.
Harris, Thomas A., 850.
Harrison, Burton N.
Correspondence, G. E. Cooper, 920.
See also *Jefferson Davis.*
Mentioned, 558, 559, 564, 566, 774, 775, 838–840, 925, 975.
Review of case by Judge-Advocate-General, U. S. A., 838–840.
Harrison, George P.
Correspondence, J. Hartridge, 50.
Harrison, R. F., 360.
Harrison, Thomas J.
Correspondence, Abraham Lincoln, 101.
Harrison, W. E., 935.
Harrover, Robert M.
Mentioned, 87, 888.
Remission of sentence and release, 888.
Hartridge, Julian.
Correspondence, G. P. Harrison, 50.
Hartshorne, William R., 57, 198.
Hart's Island, N. Y.
Causes of mortality, 664–666.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, 480, 660, 661.
Management, needs, etc., 646, 647.
Monthly returns of prisoners, from April to July, 1865, 1001–1003.
Transfers of prisoners, 684, 691.
Hartsuff, George L.
Correspondence, A. E. Burnside, 185, 186
Mentioned, 155, 185.
Hartz, Wilson T.
Correspondence. See *Henry W. Wessells;* also *William Hoffman* and *Ethan A. Hitchcock.*
Mentioned, 821, 972.
Harvey, Addison, 19, 64, 171.
Harvie, Edwin J.
Correspondence, B. T. Johnson, 500.
Hash, F. M., 274.
Haskett, Joseph L., 903.
Hassaurek, Frederick.
Correspondence, Abraham Lincoln, 28, 29, 35.
Mentioned, 28, 34.
Hastings, J. H., 67, 116.
Hatch, William H.
Correspondence:
Bragg, B., 288, 293, 309.
Chisman, S. R., 299.
Johnson, B. T., 305.
Schofield, J. M., 296, 297, 317.
See also *Robert Ould.*
Funds of prisoners, 529, 530, 706, 707.
Mentioned, 92, 170, 268–270, 275, 276, 288, 290, 299, 304, 305, 311, 317, 340, 353, 368, 449, 454, 529, 530, 535, 636, 706, 707, 735, 744.
Hathaway, Leland, 648.
Hattie, Steamer, 408.
Haurand, August, 221.
Haweth, J. A., 794, 795.
Hawkins, William S., 230.
Hayes, Joseph.
Correspondence:
Adjutant-General's Office, U. S. A., 220.
Grant, U. S., 167.
Distribution of supplies, Union prisoners, 13, 45, 46, 167, 182, 220, 221, 336, 389, 811.
Mentioned, 13, 45, 46, 182, 214, 336, 389, 811.
Hazlett, A. H.
Correspondence, E. R. S. Canby, 206.
Headley, John W., 280, 399.
Hearn, Samuel B., 87, 114, 115, 132, 395, 436, 650.
Heath, E. M., 142, 229.

Heath, Thomas T.
Correspondence, A. Ames, 662.
Mentioned, 783.
Heckman, Charles A.
Correspondence, Adjt. Gen.'s Office, U. S. A., 100.
Heffren, Horace, 7–10, 543–547.
Heinrichs, Gustav.
Correspondence:
Allen, R. C., 222.
Baker, J. H., 18, 116, 221, 292, 440.
Mentioned, 222, 292, 306, 441.
Heintzelman, Samuel P.
Correspondence, H. W. Halleck, 100.
Heiskell, Joseph B., 273, 380, 381.
Helena, Ark. Attack on, July 4, 1863.
Prisoners of war, 15, 59, 85, 88, 93, 141, 142, 146, 157.
Helm, Charles W., 154, 155.
Helm, W. W., 407.
Helms, W. T., 473.
Hempstead, Beall, 242, 389.
Henderson, H. A. M.
Correspondence:
Dana, N. J. T., 498, 537.
Imboden, J. D., 117.
Ould, R., 489.
Smith, M. L., 540.
Winder, J. H., 172.
Mentioned, 121, 172, 284, 404, 477, 486, 487, 489, 539, 554.
Smith-Watts-Henderson cartels, Feb. 21 and Mar. 16, 1865, 284, 285, 404, 405, 411, 412, 425, 426, 477.
Suggestions concerning released Confederate prisoners, 540–542.
Herold, David E., 696–700.
Henderson, S., 408.
Hendry, Wesley, 405.
Henry, P. M., 33.
Henry Burden, Steamer, 399, 653.
Herpin, Joseph T., 408.
Herrick, Orson Q., 56.
Herrington, C. C., 342, 347.
Herron, Francis J.
Correspondence, C. C. Dwight, 472.
Mentioned, 460.
Hersey, Samuel R., 646.
Hesser, John T.
Correspondence, J. H. Trezevant, 168.
Hewitt, R. M., 131.
Heyden, S., 878.
Hiddle, John S., 674, 681, 750, 751, 753, 905.
Higgin, Joseph, 674, 681, 750, 751, 753, 905.
Higgins, Mr., 764, 817.
Highlander, Schooner, 83, 200.
Hill, Benjamin H., 573, 577, 578, 640, 652.
Hill, Bennett H., 928.
Hill, Charles W.
Correspondence:
Hitchcock, E. A., 706.
Hoffman, W., 183, 193, 228, 229, 236, 237, 260, 322, 332, 466, 561, 563, 581.
Huntington, J. F., 32.
Morton, G., 331.
Scovill, E. A., 4, 41, 75, 112, 143, 182.
Wessells, H. W., 4, 41, 42, 76.
Mentioned, 133, 183, 331, 543, 695, 708.
Hill, Daniel H.
Mentioned, 799.
Negotiations with J. A. Dix, 799.
Hill, John C., 20.
Hill, John L., 66, 115.
Hillard, William, 296.
Hilton Head, S. C.
Complaints of ill-treatment, 50, 51.
Forwarding prisoners for exchange, 266.
Hines, Thomas H., 502, 644, 688, 724, 869, 877.
Hipkins, William, 731.
Hitchcock, Bethnel.
Correspondence, E. R. S. Canby, 206.
Hitchcock, Daniel, 736.
Hitchcock, Ethan A.
Annual reports, 799–811, 968, 972.
Consolidated returns of prisoners exchanged and paroled during war, 821–832.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 154, 404, 885, 895, 968.
Army Headquarters, 99.
Bradley, C., 886.
Butler, B. F., 26, 34, 35, 101–103, 806, 809, 810.
Canby, E. R. S., 15, 84, 100, 109, 142, 156, 242, 430, 640, 652.
Carter, S. P., 25.
Christian, Lea & Co., 873, 886, 889, 893.
Cutts, J. M., 967.
Dwight, C. C., 364, 396, 491.
Grant, U. S., 34, 102, 234, 435.
Halleck, H. W., 100.
Hill, C. W., 706.
Hoffman, W., 34, 35, 103, 142, 258, 322, 375, 404, 444, 490, 504, 522.
Lincoln, Abraham, 28.
Ludlow, W. H., 809.
Massachusetts, Governor of, 586, 633, 646, 703.
Mulford, J. E., 35, 96, 102, 129, 320, 321, 329, 336, 406, 722, 723, 809, 872.
Ould, R., 99, 101, 102.
Pilsbury, A., 114.
Sterling, W. H., 491.
Taylor, N. G., 321.
Vogdes, I., 642.
War Department, U. S., 84, 100, 101, 147, 151, 162, 184, 391, 406, 504, 521, 799, 806, 811, 821, 886, 895, 906, 911, 912, 946.
Wessells, H. W., 35, 70, 78, 79, 90, 95, 115.
Forwarding prisoners for delivery, 260, 266, 289, 290, 294, 301, 306, 309, 317, 329, 335, 359, 360.
Funds and property of prisoners:
Confederate, 872, 873, 885–887, 889, 895, 911, 912, 967.
Union, 906, 967.
Measures for relief of prisoners, 801–808, 810.
Mentioned, 39, 66, 89, 98, 109, 122, 162, 322, 378, 400, 410, 430, 438, 445–447, 489, 494, 497, 499, 511, 571, 646, 721, 784, 873, 886, 889, 893, 906, 948.
Mortality in prisons, 946–948.
Remarks, Butler's actions as exchange agent, 147–151, 162, 243.
Hitz, John.
Correspondence, Andrew Johnson, 792.
Hoare, Joseph A. See *William Campbell.*
Hoare, Michael, 35.
Hobbs, Mr., 176.

Hobson, Edward H.
Correspondence, J. M. Palmer, 336.
Mentioned, 520.
Hobson, M. L., 408.
Hodge, George B., 274.
Hodges, Thorndike D.
Correspondence. See *Quincy A. Gillmore.*
Hodges Brothers, 314.
Hoff, George H., 120, 121.
Hoff, W. D., 129.
Hoffman, Southard.
Correspondence. See *George H. Thomas.*
Hoffman, William.
Commissary-General of Prisoners, 162.
Consolidated returns of prisoners, 1, 770–772.
Correspondence:
Adjutant-General's Office, U. S. A., 242, 373, 374, 410, 411, 481, 690, 709, 714, 727, 770.
Allen, H. A., 236, 243, 260, 271, 375.
Andrews, G. L., 717.
Army Headquarters, 100.
Baker, J. H., 85, 222, 302, 306, 360, 441, 466.
Barnes, J., 259, 463, 557, 582.
Barrow, R. J., 215.
Blagden, G., 469.
Bomford, J. V., 190.
Brothers, O. C., 156.
Brown, B. G., 372, 379.
Burke, M., 260, 647, 719, 739.
Burnett, H. L., 511.
Burnside, A. E., 185.
Butler, B. F., 101–103, 809.
Canby, E. R. S., 228, 316, 392, 393, 438, 496, 507.
Carter, S. P., 193.
Chapel, A., 190.
Cooper, G. E., 6, 56.
Craven, J. J., 494.
Dana, N. J. T., 491, 492, 514, 539, 554.
Davidson, J. H., 488, 505, 508.
Dix, J. A., 260, 379.
Dye, W. McE., 643.
Fitzgerald, P. F., 156.
Galloway, S., 445, 468, 496.
Gillmore, Q. A., 656.
Gordon, G. H., 482.
Granger, R. S., 290.
Grant, U. S., 173, 188, 191, 218, 219, 242, 258, 289, 294, 306, 309, 313, 317, 329, 335, 359, 363, 366, 391, 392, 400, 403, 405, 418, 423, 428, 435, 444, 447, 469, 477, 480, 568, 582, 585, 635, 653, 654, 682, 689, 700.
Halleck, H. W., 100, 101, 203, 226, 227, 237, 257, 289, 383, 656.
Hill, C. W., 183, 193, 228, 229, 236, 237, 260, 322, 332, 466, 561, 563, 581.
Hitchcock, E. A., 34, 35, 103, 142, 258, 322, 375, 404, 444, 490, 504, 522.
Holmstedt, E. W., 201, 323, 416.
Hooker, J., 713.
Ingraham, T., 259, 511, 658.
Johnson, A. J., 216, 272, 322, 360, 466, 514, 694.
Jones, S. E., 261, 271, 291, 390.
Judge-Advocate-Gen.'s Office, U. S. A., 706, 708.
Kuhn, J. H., 466.
Lee, S. P., 739.
Lewis, J. R., 694, 702.
Ludlow, W. H., 809.
Hoffman, William—Continued.
Correspondence:
Macauley, D., 583.
Morris, W. W., 266, 429.
Mount, J. F., 648, 650.
Mulford, J. E., 353, 375, 410, 438, 581, 636.
Paine, H. E., 180, 270, 271.
Parkhurst, J. G., 518, 543.
Pillow, G. J., 433.
Pilsbury, A., 436.
Porter, P. A., 101.
Pratt, C. B., 391, 461.
Prentice, J. G., 542, 552.
Quartermaster-General's Office, U. S. A., 192.
Ramsey, A., 180, 200.
Richardson, W. P., 206, 229, 322, 360, 363, 366, 381, 383, 466, 513, 637, 653, 671, 694.
Rucker, E. W., 331.
Schoepf, A., 243, 301, 322, 359, 360, 409, 466, 539, 660.
Sewall, F. D., 301.
Simpson, J., 231, 295, 372.
Sprague, E. T., 467, 514.
Sterling, W. H., 540.
Stevens, A. A., 203, 322, 360, 466, 514, 691.
Subsistence Department, U. S. A., 152, 767.
Surg. Gen.'s Office, U. S. A., 181, 464, 684, 691, 693.
Sweet, B. J., 210, 219, 220, 322, 360, 401, 466, 514, 694.
Temple, B., 156.
Thomas, G. H., 5, 6, 105.
Tilghman, B. C., 563, 634.
Tracy, B. F., 182, 195, 232, 237, 322, 329, 360, 419.
Tribble, G. W., 156.
Trippe, J. H., 156.
Trowbridge, L. S., 307.
Tyler, R. O., 502.
War Department, U. S., 101, 147, 390, 391, 485, 557, 571, 575, 637, 638, 649.
Weitzel, G., 480, 484.
Wessells, H. W., 25, 481, 646, 647.
West, W., 375.
Wilkes, F. C., 215.
Williams, G. A., 492.
Instructions governing prisons or camps, 201, 271, 295, 296, 302, 331, 332, 372, 409.
Mentioned, 1, 36, 47, 52, 89, 107, 141, 142, 150, 162, 184–186, 189, 190, 193, 197, 201, 203, 216, 221, 226, 229, 232, 257, 261, 270, 271, 301, 302, 320, 321, 323, 331, 336, 361, 363, 383, 390, 391, 397, 419, 430, 435, 436, 446, 447, 464, 466, 467, 474, 489, 496, 497, 504, 511, 514, 522, 538, 542, 543, 550, 554, 558, 561, 568, 571, 580, 583, 641, 658, 660, 661, 666, 671, 691, 693, 695, 784, 802, 808, 811, 821.
Orders, Circulars, series 1865: **No. 2,** 215; **June 17,** 656.
Paroled prisoners, instructions governing, 410, 563, 634, 635.
Political prisoners, instructions respecting, 647.
Prisoners declining exchange, 220, 237, 260, 271, 272.
Prison fund, 767, 768.
Relieved as Com. Gen. of Prisoners, 784.
Separate rations for rebel prisoners, 295, 296, 372.
Supervision and control of prisoners, 484, 647, 648.
Trade with sutlers, 484, 647, 648.
Transportation, 192, 363, 366, 367, 383.

Hogan, Martin E., 777.
Hogg, Thomas E., 674, 681, 750, 751, 753, 905.
Hoke, John F., 211, 450, 451, 455.
Hoke, Robert F.
Correspondence:
Baker, L. S., 245, 276.
Bragg, B., 269, 275.
Cameron, J. W., 277.
Forno, H., 244.
Jackson, G., 264.
Johnson, B. T., 276, 288.
Lee, R. E., 226.
Parker, F. S., 270, 276.
Schofield, J. M., 268, 286, 290, 297, 317.
War Department, C. S., 217, 276.
Mentioned, 264, 286, 287, 310, 317, 903, 904.
Hoke, William J.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 224, 238.
Forno, H., 452, 453.
Johnson, B. T., 234, 276.
Mentioned, 263, 453.
Holabird, Samuel B., 83, 200, 487.
Holcombe, J. P., 839, 849, 860, 877.
Holder, John S., 414.
Holland, Lawyer, 881, 882.
Hollingsworth, Adjutant, 410.
Holloway, Thomas P., 342, 348.
Holman, James H., 341.
Holmes, James C.
Correspondence:
Bragg, B., 270.
Johnson, B. T., 287.
Holmes, Theophilus H.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 238, 287.
Bragg, B., 275, 304, 311.
Forno, H., 218, 452, 453.
Lee, R. E., 244.
War Dept., C. S., 211, 217, 244, 263, 268, 298.
Mentioned, 225, 287, 288, 304, 451, 452, 453.
Holmstedt, Ernest W.
Correspondence:
Ahlefeldt, J., 36.
Hoffman, W., 201, 323, 416.
Wessells, H. W., 145.
Holt, Joseph.
Correspondence. See *Judge-Advocate-General's Office, U. S. A.*
Mentioned, 255, 256, 533, 551, 570, 573, 586, 638, 646, 708, 709, 725, 784, 819, 820, 862, 882, 887, 898, 903, 904, 921–923, 961, 965, 973, 979.
Request for court of inquiry, 964, 965.
Holt, William A., 378.
Hood, John B.
Correspondence, G. H. Thomas, 20, 64, 163, 172.
Mentioned, 32, 56, 76, 164, 172, 179, 206, 285, 328, 348, 381, 425, 766, 767, 778.
Hooe, R. M.
Assignments, 433.
Mentioned, 433.
Hooker, C. E., 763, 766.
Hooker, Joseph.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 712, 736, 881.
Army Headquarters, 99.
Hooker, Joseph—Continued.
Correspondence:
Burke, M., 881.
Hoffman, W., 713.
Lincoln, Abraham, 191, 217.
Mentioned, 47, 133, 503, 548, 573, 644, 653, 684, 695, 725, 873.
Hooper, R. H., 408.
Hope, Steamer, 408, 485.
Hope. See *Clement C. Clay, jr.*
Horsey, Stephen, 7–10, 523, 543–548, 583, 586–588, 637–639, 896, 897.
Horton, Everett S., 57, 198.
Hosea, Louis M., 325.
Hosmer, Addison A.
Correspondence. See *Judge-Advocate-General's Office, U. S. A.*
Hottle, J. M., 49.
Hough, W. D., 53.
Hovey, Alvin P.
Correspondence:
Adjutant-General's Office, U. S. A., 638.
Burnett, H. L., 523.
Gardiner, J. H., 638.
Johnson, Andrew, 587.
War Department, U. S., 583, 586, 637.
Mentioned, 11, 519, 548, 549, 587, 588, 637, 705.
Howard, Joseph, Mr., 428.
Howard, Joseph (109th U. S. C. T.), 153.
Howard, Oliver O.
Correspondence, G. H. Thomas, 164.
Mentioned, 163, 164, 651.
Howell, Jeff. D., 648.
Howison, R. R., 389.
Howorth, W. L., 78, 214.
Hubbard, Captain, 718.
Hubbard, Lucius F., 718.
Hughes, Thomas.
Correspondence, E. R. S. Canby, 206.
Hughes, Denver & Peck, 773.
Hull, George W., 688.
Humphreys, Andrew, 7–11, 543–547.
Humphreys, West H., 86, 87.
Humphrys, John.
Correspondence, U. S. Grant, 556.
Hundley, Daniel R., 41–43.
Hunt, Lewis C.
Correspondence:
Beall, W. N. R., 199, 215, 228.
Noyes, F. G., 199.
Paine, H. E., 193.
Tracy, B. F., 215.
Mentioned, 124, 140, 235.
Hunter, Dr. See *Thomas H. Hines.*
Hunter, David.
Correspondence, Army Headquarters, 99.
Mentioned, 696, 700.
Hunter, John H.
Correspondence, War Department, C. S., 95.
Hunter, Robert M. T.
Arrest and confinement, 534, 535, 550, 551, 576, 583, 674, 723, 724.
Correspondence:
Halleck, H. W., 551.
Manning, W. C., 723.
Mentioned, 534, 535, 550, 551, 570, 576, 583, 674, 844.

Hunter, Thomas T., jr., 53.
Hunter, William.
Correspondence. See *State Department, U. S.*
Huntington, G. C., 330.
Huntington, J. F.
Correspondence, C. W. Hill, 32.
Hurd, Charles H.
Correspondence. See *John W. Turner.*
Hurlbut, Stephen A.
Correspondence, Army Headquarters, 99, 100.
Mentioned, 319, 487, 494, 498.
Hurley, Dan. C., 197.
Hurt, Benjamin, 692.
Hussing, C. H., 69.
Huston, George W.
Correspondence, E. R. S. Canby, 206.
Hutchins, Benjamin T.
Correspondence, B. F. Butler, 71.
Mentioned, 64.
Supplies distributed to prisoners, 71–73.
Hutchins, Samuel, 103.
Hutchinson, George B., 977.
Hutchinson, R. R., 372, 379.
Hutter, J. R., 95.
Huwald, Gustave A., 87.
Hyams, G. J., 859.
Ida, Schooner, 408.
Illinois Troops.
Infantry—*Regiments:* **77th, 130th**, 643; **137th**, 486; **144th**, 695, 704.
Ilsley, Edwin, 871.
Imboden, John D.
Assignments, 12.
Correspondence:
Henderson, H. A. M., 117.
Jones, S., 118.
Ould, R., 458.
Ruggles, D., 535.
War Department, C. S., 121.
Wirz, H., 312.
Mentioned, 12, 122.
Orders, General, series 1865: **No. 2**, 122.
Orders in case of mutiny of prisoners, 122
Indiana, Steamer, 537.
Indiana, District of.
Orders, General, series 1865: **No. 1**, 6; **No. 27**, 543; **No. 37**, 587; **No. 38**, 637.
Indiana, Governor of.
Correspondence. Andrew Johnson, 794, 798.
Suggests trial of Jefferson Davis in Indiana, 798.
Indiana Troops.
Infantry—*Regiments:* **43d**, 319.
Indianapolis, Ind.
Conspiracy to seize arsenal at, 6–11, 523–525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Indians.
Enlistment of prisoners for service against, 359.
Ingraham, H. H., 408.
Ingraham, Timothy.
Correspondence:
Augur, C. C., 586.
Hoffman, W., 259, 511, 658.
Mentioned, 567.
Innes, William.
Correspondence:
Adjutant-General's Office, U. S. A., 48.
Fitch, G. W., 19, 48.
Iowa Troops.
Infantry—*Regiments:* **18th, 28th, 29th, 32d, 33d**, 643; **36th**, 319, 643.
Irish, D. T., 939.
Irving, William, 903.
Irving Block Prison, Memphis, Tenn.
Monthly returns of prisoners, from July, 1864, to June, 1865, 997–1002.
Isaac Smith, U. S. S.
Capture of, Jan. 30, 1863. Prisoners of war, 146, 147, 257.
Mentioned, 146.
Ish, A. J., 197.
Island Queen, Steamer.
Mentioned, 279, 280, 399, 708.
Seizure of, Sept. 19, 1864, 83, 84, 279–282, 398–400, 416, 708.
Iverson, John F.
Arrest and trial, 782, 783.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 238.
Forno, H., 139.
Johnson, B. T., 218, 234.
Winder, J. H., 160.
Mentioned, 137, 213, 450, 453, 454, 765, 766, 783.
Jackson, Andrew, 679.
Jackson, George.
Correspondence, R. F. Hoke, 264.
Mentioned, 270.
Jackson, William H., 326, 542.
Jackson, Miss.
Relief of Union prisoners by U. S. authorities, 437.
Jacksonville, Fla.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Jacob, Richard T., 23.
James, Joshua, 60.
James, William, 184.
James, William L., 469.
James River, Commanding Officer North Side (C.).
Correspondence, B. F. Butler, 103.
Jamison, R., 408.
Janes, Edmund S., 89.
Jarboe, William A., 93.
Jarvis, Gustavus A., 361.
Jefevat, G. U. B.
Correspondence, Jefferson Davis, 201.
Jefferson, Thomas, 524, 737, 814.
Jeffries, Dr., 688.
Jenkins, C. P., 408.
Jenkins, John W., 314.
Jenkins, Thornton A.
Correspondence, D. H. Maury, 240.
Mentioned, 67, 128.
Jennings, A. G., 314.
Jervey, C. P., 408.
Jervis, John, 851.
Jessee, George M., 384, 385, 387.
Johns, John P., 408, 440.
Johnson, Adam R., 88.
Johnson, Andrew.
Amnesty proclamation, May 29, 1865, 578–580.
Correspondence:
Attorney-General's Office, U. S., 844, 910.
Blair, F. P., sr., 839.
Bradley, J. C., 820.
Brown, J. E., 711.

Johnson, Andrew—Continued.
Correspondence:
Chandler, Z., 736.
Chase, S. P., 715, 716.
Clay, C. C., jr., 812.
Congress, U. S., 843.
Davis, Jefferson, Mrs., 874, 900, 902.
Evans, E., 792.
Ewell, R. S., 582.
Foote, H. S., 526.
Grant, U. S., 815, 840.
Grierson, B. H., 818.
Hitz, J., 792.
Hovey, A. P., 587.
Indiana, Governor of, 794, 798.
Judge-Advocate-General's Office, U. S. A., 644, 684, 750, 775.
Livermore, C. F., 718.
Mallory, S. R., 662.
Marvin, W., 769.
Schade, L., 773, 793.
Sheridan, P. H., 766.
Slingluff, C. B., 774.
Steedman, J. B., 818.
Stephens, A. H., 885.
Stewart, W. M., 526.
Vogdes, I., 702.
War Department, U. S., 500, 526, 769, 811, 843, 900, 906, 910, 923, 925, 929, 984.
Yulee, D. L., 668, 702, 864.
Davis, Jefferson:
Confinement and treatment, 740, 741, 767.
Measures for trial, 715, 716, 798.
Permission to Mrs. Davis to visit, 875, 876, 900–902, 904, 905.
Reasons for non-trial, 794.
Red tape episode, 841.
Resolution of U. S. Congress respecting trial of, 843–845.
Mentioned, 322, 519, 527, 528, 532, 534, 548, 550, 551, 555, 557, 568, 573, 574, 578–580, 583, 584, 633, 637, 641, 645, 647, 649, 650, 670, 684, 689–691, 693, 696–700, 703, 709, 710, 712, 714–716, 725, 736–738, 740, 742–744, 747, 750, 760, 763, 764, 767, 769, 775, 782, 791, 792, 794–796, 815–817, 819, 820, 833, 836, 839, 840, 842, 843, 845, 847, 848, 855, 856, 861, 862, 864, 867, 870, 872, 887, 888, 890, 893, 895–899, 901, 902, 904, 905, 907, 908, 911, 912, 914–919, 923, 928, 929, 932, 940, 955, 965, 976–978, 983–986.
Order, case of B. G. Harris, 633.
Orders, series 1865: **July 5**, 699; **July 15**, 700; **July 22**, 725; **Aug. 30**, 736; **Nov. 3**, 791.
Johnson, Andrew, jr., 528.
Johnson, Andrew J.
Correspondence:
Caraher, A. P., 47, 82, 116, 152, 216.
Hoffman, W., 216, 272, 322, 360, 466, 514, 694
Rock Island Argus, Editor of, 16.
Wessells, H. W., 15, 37, 38, 48, 82, 152.
Mentioned, 108, 704.
Johnson, Bart., 88.
Johnson, Benjamin W.
Correspondence, R. Ould, 374.
Mentioned, 131.
Johnson, Bradley T.
Assignments, 473.
Johnson, Bradley T.—Continued.
Correspondence:
Baker, L. S., 288, 294.
Booth, G. W., 300.
Bragg, B., 263, 275.
Chisman, S. R., 299.
Davis, Jefferson, 501.
Echols, R. J., 263.
Forno, H., 213, 218, 270, 294, 299, 452.
Gardner, W. M., 212, 218, 239, 263, 264, 269, 275, 287, 293, 304.
Gee, J. H., 245.
Griswold, E., 263.
Harvie, E. J., 500.
Hatch, W. H., 305.
Hoke, R. F., 276, 288.
Hoke, W. J., 234, 276.
Holmes, J. C., 287.
Iverson, J. F., 218, 234.
Johnston, J. E., 499, 501.
Martin, J. G., 212.
Morfit, M., 287.
North Carolina, Governor of, 168, 211.
Ruggles, D., 479, 512.
Sumner, T. J., 269.
Symons, J. V., 300.
Tyerly, J. L., 254.
War Department, C. S., 158, 269, 298.
Wilson, J., jr., 254.
In command of prisoners in South Carolina, 213.
Instructions, etc., care of prisoners, Appomattox campaign, 479.
Mentioned, 178, 179, 205, 213, 218, 245–247, 249–251 449, 452, 473, 475, 662.
Treatment of prisoners, 662.
Johnson, C. K., 57, 222, 223.
Johnson, C. W.
Correspondence, E. R. S. Canby, 206.
Johnson, Edward, 443, 446.
Johnson, George, 315.
Johnson, Jeptha C.
Correspondence, I. Szymanski, 173.
Johnson, Lewis.
Correspondence:
Adjutant-General's Office, U. S. A., 171, 175.
Leach, J. S., 175.
Johnson, Robert, 408.
Johnson, William.
Correspondence, J. Echols, 277.
Mentioned, 58, 193.
Johnson's Island, Ohio.
Conspiracy to release prisoners, 6–11, 523, 525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 706, 708, 709, 739, 873, 896, 897.
Discontinuance as prison post, 701.
Escape of prisoners, 41–44.
Final release of Confederate prisoners, 653.
Inspections, 4, 5, 41–44, 75, 76, 112, 113, 143, 182, 183, 329–331.
Lee, S. P., in charge of prisoners, 695.
Management, needs, etc., 32, 33, 49, 329–331, 653, 654.
Masonic Association resolutions, 563, 581.
Monthly returns of prisoners of war, from July, 1862, to September, 1865, 986–1003.
Mortality reports, 49.

Johnson's Island, Ohio—Continued.
Murder of prisoner by citizen, 258.
Orders, Special, series 1865: **No. 34,** 183.
Trade with sutlers, 187, 188.
Transfers of prisoners, 95, 739.
Johnston, Andrew, 341.
Johnston, Joseph E.
Correspondence:
Grant, U. S., 814.
Johnson, B. T., 499, 501.
Sherman, W. T., 490, 842.
Mentioned, 285, 412, 413, 422, 476, 479, 513, 536, 553, 587, 588, 726, 730, 770–772, 776, 797, 811, 828, 829, 837, 838, 849.
Johnston, J. Stoddard.
Correspondence. See *John Echols.*
Johnston, William Preston, 558, 559, 562, 669.
Jones, Lieutenant, 795, 835.
Jones, C. F., 795.
Jones, C. M., Mrs.
Correspondence, J. H. Winder, 111.
Jones, David, 903.
Jones, E. P., 342.
Jones, H. G., 89.
Jones, J. D., 443.
Jones, James M., 291.
Jones, Joseph.
Correspondence:
Thornburgh, A., 625.
Winder, J. H., 589.
Mentioned, 588, 589, 613.
Observations on diseases of prisoners, 585–632.
Jones, Rufus C., 41–43.
Jones, Samuel, Lieut. Col.
Correspondence, J. D. Imboden, 118.
Mentioned, 794, 795, 834, 835, 951.
Jones, Samuel, Maj. Gen.
Correspondence:
Bedel, J., 101.
Foster, J. G., 100, 101.
Gibson, W., 405, 411.
Newton, J., 441, 442, 500.
Scammon, E. P., 284, 436, 445, 470.
Tilghman, B. C., 474, 485.
Vogdes, I., 505.
War Department, C. S., 426.
Mentioned, 54, 98, 442, 445, 465, 471, 472, 642.
Jones, Stephen, 903.
Jones, Stephen E.
Correspondence:
Buckner, L., 107, 141.
Folsom, L. B., 35.
Hoffman, W., 261, 271, 291, 390.
Wessells, H. W., 36, 107.
Jones, William, 408.
Jones, William D., 903.
Jordan, Thomas B., 431.
Jordan, William P.
Correspondence, B. F. Tracy, 3, 39.
Josey, John E., 230.
Judge-Advocate-General's Office, U. S. A.
Correspondence:
Adjutant-General's Office, U. S. A., 735, 887.
Campbell, W., 937, 938.
Carter, W. H., 939.
Chipman, N. P., 735, 736, 746.
Judge-Advocate-General's Office, U. S. A.—Cont'd.
Correspondence:
Conover, S., 932–936, 938, 939, 941, 963.
Grenfel, G. St. L., 928.
Hanna, J., 525, 532.
Hoffman, W., 706, 708.
Johnson, Andrew, 644, 684, 750, 775.
Terry, A. H., 834.
Turner, L. C., 962, 973, 978.
War Department, U. S., 255, 554, 638, 690, 692, 742, 769, 782, 799, 812, 833, 834, 838, 847, 855, 862, 882, 890, 898, 912, 920, 931, 951, 961, 964, 965, 976, 977.
Wright, F. B., 937.
Court of inquiry asked by J. Holt, 964, 965.
Depositions taken respecting C. C. Clay, jr., 867–869, 876–880, 883–885.
Execution of prisoners, 2d N. C. (Union), 903, 904.
False testimony against Jefferson Davis, C. C. Clay, jr., and others, 890–892, 921–923, 931–945, 962–965, 976–980.
Investigation and trial of political prisoners, 255–257.
Opinions, reviews, etc., in cases of:
Adams, J., 782, 783.
Alexander, G. W., 782, 783.
Allison, A. K., 812, 862–867.
Barrett, Captain, 782, 783.
Bowles, W. A., 532, 533.
Cheatham, R. S., 782, 783.
Clay, C. C., jr., 833, 847–861, 890–892, 931–945.
Cole, C. H., 706, 708, 709.
Conover, S., 921–923, 931–945, 962–964, 973, 974.
Davis, Jefferson, 690, 847–855, 890–892, 931–945.
Duncan, J. W., 782, 783.
Emack, G. M., 782, 783.
Gee, J. H., 782, 783, 882.
Godwin, A. C., 782, 783.
Gurley, F. B., 741, 742.
Hanchett, H. S., 834, 835, 951.
Harrison, B. N., 838–840.
Horsey, S., 532, 533.
Iverson, J. F., 782, 783.
Mallory, S. R., 812, 847–867.
Milligan, L. P., 532, 533.
Mosely, Lieutenant, 782, 783.
Nesbit, Dr., 782, 783.
Officials charged with cruel treatment of Union prisoners, 782, 783.
Order of American Knights, 523–525, 644–646, 684–689.
Peacocke, ———, 782, 783.
Robinson, J. E., 706, 708, 709.
Rylander, J. E., 782, 783.
Semmes, R. T., 644–646.
Shooting of prisoners by guards, 692, 693.
Steamer Salvador prisoners, 750–753.
Turner, R. R., 783, 912, 920, 961.
Vowles, D. W., 782, 783.
Wilson, Lieutenant, 782, 783.
Winder, R. B., 782, 783, 799, 834, 887, 888.
Winston, J. H., 784.
Wirz, H., 775–781.
Yulee, D. L., 812, 847, 848, 862–867.
Kargé, Joseph, 125, 126.

Kean, Robert G. H.
Correspondence, War Department, C. S., 204.
Kearsarge, U. S. S., 266.
Kellum, Elijah, 903.
Kelton, John C.
Correspondence. See *Army Headquarters;* also *Henry W. Halleck.*
Kendrick, Henry F., 53
Kendrick, Richard, 108.
Kenessick, Mr., 194.
Kennedy, Robert C., 414–416, 428, 850, 852, 857, 859, 880, 891, 937, 941.
Kentucky.
Banishment of Lieutenant-Governor Jacob, 23.
Exchange, etc., of prisoners from, 173.
Final release of prisoners, 549, 556.
Operations in. See—
Lebanon. Skirmish, July 5, 1863.
Morgan's Raid. July 2–26, 1863.
Return of Confederate prisoners to homes in, 536, 588.
Kentucky, Department of (U.).
Orders, Special, series 1865: **No. 84**, 520.
Kentucky Troops (U.).
Infantry—*Regiments:* **20th.** 107, 185.
Kerner, T. E., 510.
Kerney, J. M.
Correspondence. See *William R. Miles.*
Kerr, Samuel L., 197.
Kerr, T. J., 189.
Kerr, W. J. W., 789, 791.
Key. ——, 934–936.
Key, Thomas M., 46, 47, 645.
Killian's Mills, S. C.
Establishment of prison depot, 463, 464, 476.
Kilpatrick, Judson.
Correspondence, J. Wheeler, 293.
Mentioned, 551.
Kilson, Hugh, 197.
Kimball, J. M., & Son, 313.
King, John C., 256.
King, R. H., 78.
King, Richard, 414.
King & Baird, 337.
Kitzinger, M., 315.
Knapp, Mary, 879, 891, 921, 922, 942, 944, 963.
Knight, James F., 103.
Knights of the Golden Circle. See *Order of American Knights.*
Knoble, Ed.
Correspondence, A. von Schrader, 164.
Knoxville, Tenn., Commanding Officer (U.).
Correspondence, J. C. Breckinridge, 58.
Kofer, Colonel, 119.
Kollock, Matthew H., 654.
Kubble, L. W., 768.
Kuhn, John H.
Correspondence, W. Hoffman, 466.
Mentioned, 284, 694, 695, 704.
Lacey. See *Clement C. Clay, jr.*
Lachler, Jacob F., 119.
Lackland, William R.
Correspondence, H. W. Wessells, 201.
Lafayette, Marquis de, 916.
Lafayette, Fort, N. Y. Harbor.
Accommodations, 719, 720.
Inspections, 3, 40, 41, 75, 111, 112, 142, 143, 762.
Lafayette, Fort, N. Y. Harbor—Continued.
Monthly returns of prisoners, from July, 1862, to November, 1865, 986–1004.
Naval prisoners forwarded for exchange, 294.
Political prisoners, 577, 578, 640, 652, 720, 729, 739, 769.
Sanitary condition, etc., 953, 954.
Transfers of prisoners, 379, 739.
Lamar, Mr., 816, 883–885, 923, 937, 938
Lamar, Charles A. L., 403.
Lambert, M. W., 93.
Lancaster, U. S. S., 751, 752.
Langhorne, Mr., 687.
Lathrop, Solon H., 645.
Latouche, John, 764.
Laurel Hill, Steamer, 472.
Law, Evander M.
Correspondence, J. G. Stokes, 69.
Lawler, Michael K., 60.
Lawrence, Alexander, 408.
Lawrence, Asa A., 38.
Lawton, Alexander R.
Correspondence. See *Q. M. Gen.'s Office, C. S. A.*
Mentioned, 86, 94, 172, 173, 195, 312, 437, 707, 722, 731–733.
Lawton, Camp, Ga.
Abandoned, 111.
Arrest, trial, etc., of prison officials, 782, 783.
Complaints of ill-treatment, 754.
Lay, John F., 315.
Lazelle, Henry M., 367.
Lea, Seth, 267, 272.
Leach, John S.
Correspondence, L. Johnson, 175.
Leach, Shultz, 90.
Lebanon, Ky. Skirmish, July 5, 1863.
Prisoners captured and paroled. See *Morgan's Raid. July 2–26, 1863.*
Lee, Albert L., 274.
Lee, Alfred, 89.
Lee, G. W. Custis, 333, 351–353.
Lee, John, 714.
Lee, Joseph, 315.
Lee, R. E., Steamer, 407–409.
Lee, Robert E.
Correspondence:
Army Headquarters, 100.
Bragg, B., 275, 287, 299, 304.
Grant, U. S., 236, 261, 282, 285, 290, 329, 393, 425, 517, 651.
Hoke, R. F., 226.
Holmes, T. H., 244.
Longstreet, J., 329.
Ould, R., 431.
Walker, J. A., 244.
War Department, C. S., 217, 286, 293, 297, 298, 303, 304, 309, 431, 443, 446.
Improper declarations of exchange, 431.
Indictment of paroled prisoners, 651.
Mentioned, 11, 29, 98, 225, 262, 289, 299, 316, 317, 324, 368, 394, 419, 424, 479, 480, 483, 485, 488, 496, 499, 505, 506, 511, 518, 520, 533, 534, 536, 543, 567, 568, 587, 649, 770–772, 800, 804, 806, 811, 828, 829, 884.
Negotiations with U. S. Grant, exchange of citizen prisoners, 236, 261, 267, 268, 282, 294, 309, 329, 368, 391, 392, 419, 420, 424.
Prisoners paroled at Appomattox, Va., 517, 651.

Lee, Robert E.—Continued.
Rumored intention to apply for amnesty, 534–536.
Lee, Samuel P.
Assignments, 695.
Correspondence, W. Hoffman, 739.
Mentioned, 695.
Lee, S. Phillips.
Correspondence, C. C. Dwight, 365.
Lee, William H. F., 29.
Lehman, Meyer.
Correspondence, U. S. Grant, 69, 166.
Mentioned, 365.
Lemon, William, 421.
Leonardy, Vincent, 408.
Leslie, Hospital Steward, 291.
Leslie, Mr., 877.
Lester, George, 313.
Letcher, John, 534.
Levering, John.
Correspondence. See *Joseph J. Reynolds.*
Levy, William M.
Correspondence:
Dwight, C. C., 100.
Molineux, E. L., 100.
Lewellyn, David H., 58, 193.
Lewis, Hewitt, 320.
Lewis, Isaac, 408.
Lewis, John, 408.
Lewis, John R.
Correspondence:
Hoffman, W., 694, 702.
Stanhope, P. W., 701.
Lewis, Joseph J.
Correspondence, Duncan, Sherman & Co., 283.
Mentioned, 282, 283.
Lewis, William T., 109, 803.
Libby Prison, Va.
Arrest, trial, etc., of prison officials, 783, 911, 912, 920, 929, 930, 952, 960, 961, 966.
Embezzlement of funds, etc., of prisoners, 581, 636, 667, 671, 672, 706, 707.
Management, needs, etc., 342, 343, 463.
Mining of, by Confederates, 343, 344, 551, 560.
Statements of P. Cashmyer, 753, 754, 764.
Lieber, Francis, 904.
Lightbody, John W., 119.
Lilian, Steamer, 409.
Lincoln, Abraham.
Amnesty proclamations, 319, 320, 366.
Assassinated, Apr. 14, 1865, 490.
Conference with J. A. Campbell, 553, 554.
Correspondence:
Army Headquarters, 99.
Breckinridge, J. C., 390.
Butler, B. F., 101.
Canby, E. R. S., 320.
Congress, U. S., 46.
Dorr, J. B., 101.
Grant, U. S., 23, 301, 368, 809.
Harrison, T. J., 101.
Hassaurek, F., 28, 29, 35.
Hitchcock, E. A., 28.
Hooker, J., 191, 217.
Stoneman, G., 101.
Van Winkle, P. G., 34.
War Department, U. S., 30, 46, 390.
Lincoln, Abraham—Continued.
Mentioned, 9, 16, 25, 34, 97, 115, 147, 182, 202–204, 240, 243, 256, 260, 266, 307, 313, 319–322, 352, 390, 468, 469, 472, 490, 498, 501, 507, 521, 524, 525, 532–534, 539, 545, 551, 553, 554, 580, 658, 663, 677, 693, 696–700, 702, 774, 796, 799, 800, 807, 811, 812, 816, 837, 839, 843, 848, 849, 851–857, 861, 867, 878–880, 883, 884, 890, 891, 898, 899, 921, 931, 932, 934, 936, 937, 940, 942, 945, 962, 964, 974, 976.
Pass for R. A. Pryor, 313.
Plot to kidnap, 815, 816, 851, 883–885, 937.
Trial of assassins, 696–700.
Lind, Dr., 622.
Lindsay, ——, 197, 273.
Linnell, Thomas H., 183.
Little Rock, Ark.
Monthly returns of prisoners, from March, 1864, to August, 1865, 995–1003.
Livermore, Charles F.
Correspondence, Andrew Johnson, 718.
Mentioned, 712.
Lizzie, Steamer, 408.
Lizzie Davis, Steamer, 407.
Locke, Matt. F., 131.
Lockett, Samuel H., 382.
Logan, M. D., 347.
Long, Lieutenant, 270.
Long, Eli, 402.
Longstreet, James.
Agreement with E. O. C. Ord, 315, 401.
Correspondence:
Lee, R. E., 329.
Ord, E. O. C., 315.
Lookout Mountain, Tenn. Battle, Nov. 24, 1863.
Prisoners of war, 201, 202.
Louden, Bob, 516.
Louisiana.
Cotton sales, relief of prisoners, 459, 487, 558, 661.
Exchange, etc., of prisoners from, 173.
Operations in. See—
Brashear City. Capture, June 23, 1863.
Donaldsonville. Attack on, June 28, 1863.
Red River Campaign. Mar. 10–May 22, 1864.
Troops paroled, 828, 829.
Louisiana, Governor of.
Correspondence, I. Szymanski, 459.
Louisville, Ky.
Escape of prisoners, 461.
Fire in prison, Jan. 27, 1865, 141.
Inspections, 35, 36, 107, 141, 461.
Monthly returns of prisoners, from April, 1863, to July, 1865, 989–1003.
Lovell, Julius, 718.
Lowe, Hudson, 917, 918.
Lubbock, Francis R., 558, 559, 562, 660, 816, 817.
Luckett, Philip N., 820.
Lucy, Steamer, 408.
Ludlow, William H.
Correspondence:
Adjutant-General's Office, U. S. A., 99.
Army Headquarters, 99.
Hitchcock, E. A., 809.
Hoffman, W., 809.
Ould, R., 99, 809.
War Department, U. S., 809.
Mentioned, 98, 148, 427.
Lumpkin, O. H., 380.

Luse, William H., 131.
Lyles, A. M., 142, 229.
Lyman, George H.
Correspondence:
Cuyler, J. M., 660, 664.
Surgeon-General's Office, U. S. A., 181.
Mentioned, 181.
Lynn, Private, 361.
Lyon, Braxton, 87, 114, 115, 132, 395, 436, 650.
Lyon, Hylan B., 380.
Lyon, Robert B., 674, 681, 750, 751, 753, 905.
Lyons, W. R. C., 169.
Lytle, John S.
Correspondence. J. W. Noble, 125.
M., Mrs., 385.
McAfee, Allen L.
Correspondence, U. S. Grant, 648.
Macauley, Daniel.
Correspondence, W. Hoffman, 583.
Mentioned, 258.
McCabe, John C., 342.
McCann, Richard, 95.
McCaskey, Benjamin P.
Correspondence, J. E. Mulford, 266.
Mentioned, 408.
McCauley, Mark, 206.
McChesney, Martin H., 160, 233.
McClellan, George B.
Correspondence, War Department, U. S., 809.
Mentioned, 50, 857.
McConnell, N. W., 361.
McConnell, Samuel J., 31.
McCook, Edward M.
Correspondence:
Gibbs, G. C., 552.
Wilson, J. H., 553.
Mentioned, 771, 772, 812, 828, 829.
Troops paroled by, in Alabama and Florida, 828, 829.
McCook, Robert L., 550, 572, 741–743, 817, 820.
McCreary, James B., 342, 347.
McCulloch, C. F.
Correspondence, E. R. S. Canby, 206.
McCulloch, Hugh.
Correspondence. See *Treasury Dept., U. S.*
Mentioned, 749, 915, 975.
McCulloch, J. M.
Correspondence:
Canby, E. R. S., 206.
Dwight, C. C., 196.
McCulloh, R. S., 567, 568, 815, 816, 850, 884, 893.
McCullough, E., 119.
McDonald, Mr., 857.
McDonald, Edward, 12.
McDonnell, C., 87.
McDowell, Irvin.
Correspondence, Adjt. Gen.'s Office, U. S. A., 840.
Mentioned, 674, 681, 750–753.
Steamer Salvador prisoners, 674–681.
McEntee, John.
Correspondence, A. Ordway, 667, 671, 706.
McEwan, John S.
Correspondence. See *Nelson A. Miles.*
Receipt for J. Mitchel, 657.
McGarry, Edward, 674, 681.
McGehee, John C.
Correspondence. See *Florida Convention.*
McGill, John, 857, 880, 891, 921–923, 933, 937–939, 943, 944, 963, 964, 979, 980.
McGinley, George, 482.
McHenry, Fort, Md.
Complaints of ill-treatment, 347.
Monthly returns of prisoners, from July, 1862, to September, 1865, 986–1003.
McIntosh County, Ga. Expedition, Aug. 2–4, 1864.
Citizens captured, etc., 146, 147, 257.
Mackay, Andrew J., 402.
McKee, R. J.
Correspondence. See *Benjamin F. Tracy.*
McKibbin, Robert, 42, 43.
McKill, James, 142, 229.
McLean Barracks, Ohio.
Monthly returns of prisoners, from October, 1863, to November, 1864, 992–999.
Maclin, Sackfield, 820.
McMahon, Martin T., 574.
McNab, Allen, 679.
Macneu, Malcom, 408.
Macon, Ga.
Military prison. See *Camp Oglethorpe, Ga.*
McPhail, George W.
Correspondence. See *John D. Imboden.*
McPherson, Benjamin. See *Benjamin Griffin.*
McReynolds, Allen, 131.
McVeigh, Mrs., 746.
Maddox, James, 93.
Magee, David W.
Correspondence, W. Boggs, 794, 834.
Magrath, Andrew G.
Arrest, etc., 640, 641, 674, 723, 724, 815.
Correspondence, W. C. Manning, 723, 761.
Mentioned, 96, 451, 640, 641, 674, 815.
Magruder, ——, 859, 940, 941.
Magruder, John B., 430, 586.
Mahoney, Thomas, 386, 387.
Mailer, J., 628.
Majors, Minor, 516.
Mallory, James R., 743.
Mallory, Stephen R.
Accusations against, 812, 833, 844, 847–867.
Application for amnesty, 662–664, 713, 714, 737, 738, 769, 812, 833.
Arrest and confinement, 577, 578, 640, 652, 720, 769.
Correspondence:
Chandler, Z., 737, 738.
Florida Convention, 833, 866.
Johnson, Andrew, 662.
See also *Navy Department, C. S.*
Discharge on parole, 729.
Mentioned, 333, 398, 573, 577, 578, 640, 652, 676, 713, 720, 729, 736, 751, 752, 769, 812, 833, 844, 848, 855, 862–866.
Statement of connection with secession movement, 662–664, 737, 738.
Malone, J. S., 587.
Manhattan, Steamer, 421.
Manning, William C.
Correspondence:
Adjutant-General's Office, U. S. A., 763.
Allison, A. K., 723, 761.
Campbell, J. A., 723, 761.
Clark, C., 723.
Hunter, R. M. T., 723.
Magrath, A. G., 723, 761.

Manning, William C.—Continued.
Correspondence:
Mercer, H. W., 761.
Seddon, J. A., 723, 761.
Trenholm, G. A., 723, 761.
Yulee, D. L., 723, 761.
Testimonial from prisoners, 761, 762.
Manor, John J., 361.
Markbreit, Leopold.
Correspondence, J. Schoenle, 30.
Distribution of supplies to Union prisoners, 167.
Mentioned, 28–30, 34, 167, 182, 811.
Marmaduke, John S., 59, 60, 233, 397, 430, 489.491, 494, 496, 508, 514.
Marmaduke, Vincent.
Mentioned, 502, 503, 644, 684, 688, 724.
Trial, etc., 54, 502, 503, 573, 644–646, 684–689, 724, 725, 928.
Marr, John, 28, 87, 226, 289.
Marriott, Henry, 340.
Marsh, Roswell.
Correspondence, War Department, U. S., 256.
Mentioned, 256.
Marshall, Captain.
Correspondence, R. Taylor, 540.
Mentioned, 540.
Marshall, C. A., 394, 429.
Marshall, Charles E., 104.
Marshall, Humphrey, 104.
Marshall, William R., 718.
Marston, Matthew R., 323.
Martin, Captain, 54, 55.
Martin, James G.
Correspondence, B. T. Johnson, 212.
Martin, J. C., & Co., 55.
Martin, John F., 227.
Martin, R. M., 280, 399.
Martindale, Edward, 482.
Martin's (John T.) Sons & Co., 314, 315.
Marvin, William.
Correspondence:
Johnson, Andrew, 769.
War Department, U. S., 881.
Mentioned, 812, 862.
Mason, ———, 973, 979.
Mason, Edwin C.
Correspondence, G. H. Thomas, 727, 728.
Mason, James M., 338.
Mason, John S.
Correspondence, A. E. Burnside, 186.
Mentioned, 186.
Mason, L. R., 431, 432.
Masonic Fraternity.
Relief of prisoners, 563, 581.
Massachusetts, Governor of.
Correspondence:
Browne, A. G., jr., 634.
Canby, E. R. S., 634.
Hitchcock, E. A., 586, 633, 646, 703.
Massachusetts Troops.
Infantry—*Regiments:* **42d**, 634, 646, 652, 703.
Massey, Private, 474, 485.
Matagorda, Steamer, 408, 409.
Maurin, Victor, 648.
Maury, Dabney H.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 77, 240.
Granger, G., 240, 316, 354–356, 362, 374, 396.
Maury, Dabney H.—Continued.
Correspondence:
Jenkins, T. A., 240.
Taylor, R., 355, 361, 382.
War Department, C. S., 68, 73, 204.
Mentioned, 20, 26, 27, 70, 74, 78, 83, 109, 128, 129, 200, 203, 240, 241, 359, 382, 459, 460, 748, 803.
Maxwell, G. T., 131.
Maynard, John C.
Correspondence:
Quartermaster-General's Office, C. S. A., 94.
Weisiger, W. W., 94.
Mentioned, 94.
Meade, George G.
Correspondence:
Adjutant-General's Office, U. S. A., 743, 745.
Army Headquarters, 99.
Grant, U. S., 401.
Terry, A. H., 745, 911.
Mentioned, 884.
Means, Robert S., 54, 55.
Medical Officers.
Condition of Jefferson Davis, 924, 953, 954.
Confederate, detained at Louisville, Ky., 156.
Exchange, treatment, etc., 58, 95, 134, 135, 156, 193, 277–279.
Reciprocal attention to prisoners, 122, 123, 437.
Report, disabled Union prisoners, 97.
Meeks, Charles W., 369, 370.
Meeks, William B., 369, 370.
Mefford, David.
Correspondence, E. R. S. Canby, 206.
Mehaffey, Calvin D., 658, 699.
Meigs, Montgomery C.
Correspondence, Mrs. Jefferson Davis, 666.
See also *Q. M. Gen.'s Office, U. S. A.*
Intercession asked by Mrs. Jefferson Davis, 666, 683, 684.
Mentioned, 13, 24, 30, 195, 487, 562, 576.
Melton, Joseph, 87.
Melton, Samuel W.
Correspondence. See *War Department, C. S.*
Memphis, Tenn.
Military prison. See *Irving Block Prison.*
Menzies, Thomas A., 408.
Mercer, Hugh W.
Correspondence, W. C. Manning, 761.
Mentioned, 871.
Meredith, Sullivan A.
Correspondence:
Ould, R., 99.
War Department, U. S., 809.
Mentioned, 148, 806, 810.
Meridian, Miss.
Officers confined with enlisted men, 168–170.
Supplies from U. S. Government, 316.
Merrick, William M.
Correspondence, War Department, U. S., 703.
Merrill, B. T., 361.
Merrill, James.
Deposition respecting C. C. Clay, jr., 868, 869.
Merritt, James B., 852, 977, 978.
Merritt, Wesley, 755, 870.
Messick, John, 648.
Mexico.
Military and political refugees, 720, 755, 760, 761, 782, 784, 794, 795, 845, 870, 897, 898, 900, 902, 905, 909.

Michigan, U. S. S.
Attempted capture, Sept. 19, 1864, 706, 708, 709, 739, 873, 881.
Mentioned, 708, 739, 881.
Michler, Nathaniel, 185.
Middle Department (U.).
Orders, General, series 1865: **(Hancock) No. 6,** 715; **(Wallace) No. 87,** 510.
Orders, Special, series 1865: **(Morris) No. 48,** 303; **No. 60,** 376.
Mifflin, Fort, Pa.
Monthly returns of prisoners, from October, 1863, to June, 1864, 992–996.
Miles, Nelson A.
Assignments, 560, 562.
Confinement of Jefferson Davis at Fort Monroe, Va.:
Condition, treatment, etc., 560, 562, 564–566, 570, 571, 573, 577, 578, 639, 640, 642, 647, 710–712, 715–717, 719, 720, 736, 739, 740, 742, 743, 746–748, 754, 755, 761, 763, 767, 769, 770, 775, 833, 834, 840–842, 846, 847, 867, 869–872, 874, 875, 880, 883, 885–887, 889, 892–894, 896, 897, 900, 901, 904–921, 925, 926, 929–931, 945, 946, 948–956, 974, 975.
Instructions, 571.
Newspaper reports of ill-treatment, 914–920.
Placing in irons, 565, 571, 577.
Red tape episode, 841.
Correspondence:
Adjutant-General's Office, U. S. A., 639, 642, 647, 655, 673, 682, 691, 695, 763, 710–712, 715, 716, 718–720, 725, 728, 736, 739–742, 744, 746, 754, 761, 763, 766, 767, 769, 775, 833, 834, 840–842, 846, 847, 867, 869, 871, 872, 874, 875, 880, 882, 883, 885, 887–890, 892, 894, 896, 899, 901, 902, 904–907, 909–914, 919–921, 925, 929–931, 945, 946, 948–950, 952, 954, 956, 961, 974, 975.
Cooper, G. E., 846, 871, 875, 880, 882, 883, 886, 887, 889, 892, 894, 897, 900, 901, 904, 907, 913, 920, 921, 925, 929–931, 945, 946, 949–952, 954, 956.
Craven, J. J., 720, 740.
Davis, Jefferson, Mrs., 747.
Eckert, T. T., 743.
Garrison, G. T., 798.
Halleck, H. W., 564, 565, 570, 577.
Muhlenberg, C. P., 841.
Pelouze, L. H., 755.
Pritchard, B. D., 570.
Terry, A. H., 657, 782.
War Department, U. S., 565, 569, 570, 573, 577, 653, 706, 710, 741, 742, 747, 748, 775, 925, 955, 956.
Winder, R. B., 730.
Mentioned, 560, 562–565, 570, 640, 655, 658, 712, 741, 755, 773, 797, 834, 835, 841, 908, 918, 924, 925, 947, 950, 955, 961, 974.
Political prisoners, Fort Monroe, Va., 657, 673, 682, 718–720, 736, 739–741, 744, 746, 747, 754–760, 761, 763, 767, 769, 775, 834, 840–842, 846, 847, 867, 869–872, 874, 875, 880–883, 885–890, 892–894, 896, 897, 900, 901.
Relieved, Fort Monroe, Va., 955, 956, 961.
Miles, William Porcher.
Correspondence:
Ould, R., 194.
Whitney, T. A., 194.
Miles, William R.
Correspondence:
Taylor, R., 169.
Trezevant, J. H., 169.
Mentioned, 169.
Military Commissions.
Assassins of Abraham Lincoln, 696–700.
Beall, J. Y., 279–282.
Counsel for fellow-prisoner before, 83, 84, 91.
Duncan, J. W., 926–928.
Grenfel, G. St. L., *et al.*, 54, 502, 503, 724, 725.
Gurley, F. B., 741, 742.
Indiana conspirators, 6–11, 543–549.
Kennedy, R. C., 414–416.
Mercer, H. W., 871.
Steamer Salvador prisoners, 674–681.
Wirz, H., 784–792.
Military Tribunals.
Sentences for imprisonment during the war remitted, 580.
Millen, Ga.
Military prison. See *Camp Lawton, Ga.*
Miller, ——, 121.
Miller, Captain, 87.
Miller, Benjamin F., 643.
Miller, Clarence.
Correspondence, Navy Department, U. S., 102.
Miller, Hardy, 296.
Miller, John F., 741.
Miller, John J., 340, 341.
Miller, Samuel, 103.
Miller, Stephen, 180, 200.
Miller, Y. K., 414.
Milligan, Lambdin P., 7–10, 523, 525, 543–548, 583 586–588, 637–639, 896, 897.
Milliken, William B.
Correspondence, E. R. S. Canby, 206.
Mills, Major, 87.
Mills, Madison.
Correspondence, R. H. Coolidge, 329.
See also *Surgeon-General's Office, U. S. A.*
Milroy, Robert H.
Correspondence, G. H. Thomas, 587.
Milton, John, 769, 862.
Mims, Ch.
Correspondence. See *Q. M. Gen.'s Office, C. S. A.*
Minnesota.
State relief for prisoners, 180, 181, 200.
Minnie, Steamer, 409.
Minnigerode, Charles.
Correspondence, War Department, U. S., 818, 835.
Mentioned, 821, 833, 834, 871, 872, 874, 975.
Minzesheimer & Co., 315.
Missionary Ridge, Tenn. Battle, Nov. 24–25, 1863.
Prisoners of war, 201, 202.
Mississippi.
Operations in. See—
Egypt Station. Engagement, Dec. 28, 1864.
Vicksburg. Operations, Jan. 20–July 4, 1863.
Political prisoners, 578.
Mississippi, Military Division of the (U.).
Orders, Special Field, series 1865: **(Wilson) No. 17,** 478; **No. 25,** 508.
Mississippi Troops (C.).
Cavalry—*Regiments:* **11th** (*Perrin*), 291.

Missouri.
Exchange, etc., of prisoners from, 173.
Final release of Confederate prisoners from, 549, 556.
Operations in. See *Price's Expedition. Aug. 29–Dec. 2, 1864.*
Return of Confederate prisoners to homes in, 540, 558, 644, 651.
Missouri, Department of the (U.).
Orders, Special, series 1865: **No. 165,** 661.
Mitchel, John, 641, 653, 657, 712, 715–717, 720, 725, 728, 736, 739, 740, 744, 746, 754, 761, 763, 767, 769, 775, 782.
Mitchell, James L., 329.
Mitchell, John K.
Correspondence, Navy Department, C. S., 300.
Mitchell, W. H., 142, 229.
Mobile, Ala.
Negro prisoners employed on defenses, 26, 27, 109, 153, 154, 354, 355, 359, 361–363, 374, 382, 396, 803.
Mobile Advertiser and Register, 26.
Mobile Bay, Ala.
Commanding Officer U. S. Naval Forces. See *Thornton A. Jenkins.*
Operations, Aug. 2–23, 1864.
Prisoners of war, 15, 32, 84, 85, 146, 153, 158, 203, 226, 233, 236, 243, 260, 316, 365, 392, 403, 431, 460, 811.
Mobile (Ala.) Campaign. Mar. 17–May 4, 1865.
Prisoners of war, 490, 491, 499.
Mobley, Captain, 54, 55.
Molineux, Edward L.
Correspondence:
Franklin, W. B., 100.
Levy, W. M., 100.
Moneys of Prisoners.
Investigation as to disposition, 529, 530, 581, 636, 652, 653, 667, 671, 672, 706, 707, 906.
See also *Prisoners' Side-Arms, Money, etc.*
Monnehause, James, 236.
Monroe, Alexander A., 508.
Monroe, William M., 648.
Monroe, Fort, Va.
Burton, H. S., assigned to command, 961.
Employment of ex-Confederate soldiers in arsenal, 846, 847.
Miles, N. A., relieved from duty, 955, 956, 961.
Political prisoners, 559–566, 570, 571, 573, 576, 577, 578, 639, 640, 642, 647, 653, 657, 673, 682, 710–712, 715–720, 736, 739–744, 746–748, 754–761, 763, 767, 769, 770, 772, 773, 775, 834–836, 840–842, 846, 847, 867, 869–872, 874, 875, 880–883, 885–890, 892–894, 896, 897, 899, 900–902, 904–921, 925, 926, 929–931, 945–956, 962, 965–968, 972–976, 978, 980–983.
Sanitary condition, 953, 954.
Montague, G. W., 941.
Montgomery (Telegraph Operator), 197.
Montgomery, Alexander B., 131.
Montgomery, Campbell., 852, 867, 868.
Montgomery, E., 158, 274.
Montgomery, James E.
Correspondence. See *Gordon Granger.*
Montgomery, Richard, 977, 978.
Moody, George V., 648.
Mooney, J. E., 274.
Moore, Mr., 233.
Moore, Absalom .., 688.
Moore, Andrew B., 576, 648, 674.
Moore, Charles L., 142, 228.
Moore, J. H., 934.
Moore, Samuel P.
Correspondence. See *Surg. Gen.'s Office, C. S. A.*
Mentioned, 263, 588, 589, 598, 606, 621, 624, 625, 632, 789, 791.
Moore, Stephen.
Correspondence, B. F. Tracy, 65.
Mentioned, 4.
Moore, T. L., 228.
Moore, W. F., 228.
Moore, William G.
Correspondence. See *War Department, U. S.;* also *Andrew Johnson.*
Moore, William H., 431.
Moore, Wilstach & Baldwin, 549, 700.
Morey, John M.
Correspondence. See *James H. Trezevant.*
Morfit, Clarence.
Correspondence:
Ruggles, D., 512.
Winder, J. H., 54, 172.
Mentioned, 172, 457, 572, 636, 652, 671, 672, 706, 707.
Morfit, Mason.
Correspondence, B. T. Johnson, 287.
Mentioned, 245–247, 249–251, 264, 265.
Morgan, Alonzo, 189.
Morgan, Charles H.
Correspondence. See *Winfield S. Hancock.*
Morgan, David, 408.
Morgan, Harlin, 227, 258, 270.
Morgan, John H., 88, 155, 184–186, 347, 384, 407, 798, 838, 849.
Morgan, Martin D.
Correspondence, Jefferson Davis, 201.
Morgan's Raid. July 2–26, 1863.
Prisoners of war, 88, 154–156, 184–187.
Morning Light, U. S. S., 59, 316.
Morris, Buckner S., 502, 503, 644, 645, 684, 686, 724.
Morris, John D.
Correspondence, Congress, C. S., 383.
Mentioned, 57, 87, 103, 198, 222, 223, 389.
Morris, Robert, Steamer, 421.
Morris, William H., 657.
Morris, William W.
Correspondence:
Atcheson, G., 53.
Hoffman, W., 266, 429.
Mulford, J. E., 465.
War Department, U. S., 569.
Mentioned, 303, 376.
Morrison, Benjamin P., 193.
Morrison, James, 120, 121.
Morrow, Robert.
Correspondence. See *George Stoneman;* also *Andrew Johnson.*
Morton, George.
Correspondence, C. W. Hill, 331.
Morton, Oliver P.
Correspondence. See *Indiana, Governor of.*
Mentioned, 525.
Morton, Camp, Ind.
Additional hospital buildings, 134.
Complaints of ill-treatment, 347, 348.

Morton, Camp, Ind.—Continued.
Conspiracy to release prisoners, 6–11, 523, 525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, 2, 44, 113, 144, 209, 210, 310, 358, 412, 506, 703–706.
Monthly returns of prisoners, from July, 1862, to July, 1865, 986–1003.
Sick and wounded, 689, 690.
Mosby, John S.
Mentioned, 93, 431, 432.
Status of command, 93, 431, 432.
Mosely, J. C., 87, 421, 783.
Mott, Mr., 939–941.
Mott, Valentine, 337.
Mount, John F.
Correspondence, W. Hoffman, 648, 650.
Mudd, Samuel A., 696, 698–700.
Muhlenberg, Charles P.
Correspondence, N. A. Miles, 841.
Mentioned, 841.
Mulford, John E.
Correspondence:
Barnes, J., 465.
Bradley, G. W., 421.
Butler, B. F., 102, 103.
Freeman, M. J., 266.
Grant, U. S., 63, 74, 89, 170, 171, 187, 217, 219, 227, 235, 294, 301, 306, 309, 310, 313, 317, 320, 336, 418–420, 424, 446, 447, 462, 721, 809.
Hitchcock, E. A., 35, 96, 102, 129, 320, 321, 329, 336, 406, 722, 723, 809, 872.
Hoffman, W., 353, 375, 410, 438, 581, 636.
McCaskey, B. P., 266.
Morris, W. W., 465.
Norris, W., 643.
Ould, R., 33, 34, 57, 63, 86, 87, 93, 95, 99, 102, 130, 131, 136, 181, 187, 230, 231, 238, 307, 308, 360, 364, 369, 370, 380, 393–396, 417, 421, 427, 439, 440, 492, 809.
Wessells, H. W., 79, 96, 104.
Funds, etc., taken from prisoners by Confederates, 721–723, 745.
Mentioned, 34, 66, 73, 74, 79, 80, 86, 90, 92, 95, 98, 103, 104, 132, 150, 162, 170, 177, 196, 243, 258, 259, 291, 296, 333, 334, 351–353, 368, 373, 375, 400, 406, 411, 431, 432, 435, 504, 528, 550, 571, 707, 745, 808, 873, 885–887, 895, 912, 967, 969.
Prisoners received and delivered Nov. 1, 1864, to Mar. 22, 1865, 424.
Mullany, J. R. Madison, 45, 58.
Munford, William E., 511, 519, 704, 705.
Murchison, W. E., 131.
Murphy, Amelia B., 34, 104.
Murray, Charles D., 502, 503, 644, 645, 724.
Murray, Robert.
Correspondence, War Department, U. S., 798, 799.
Mentioned, 922.
Murrile, John, 197.
Muse, John M., 395.
Myers, H. A., 715.
Myrtle Street Prison, Mo.
Inspections, 18, 19, 116, 117, 221, 222, 440, 441, 497.
Monthly returns of prisoners. See *Saint Louis, Mo.*
Napoleon I, 851, 917.
Nashville, Tenn.
Execution of Confederate prisoners, 421.
Monthly returns of prisoners, from January, 1864, to September, 1865, 994–1003.
Troops paroled, 828, 829.
Natural Bridge, Fla. Action at, Mar. 6, 1865.
Prisoners of war, 471.
Navy Department, C. S.
Correspondence:
Davis, Jefferson, 398.
Mitchell, J. K., 300.
Navy Department, U. S., 102.
Ould, R., 239, 300.
Navy Department, U. S.
Correspondence:
Allen, H. A., 83, 91, 133, 163, 170.
Butler, B. F., 102, 103.
Grant, U. S., 103, 214.
Miller, C., 102.
Navy Department, C. S., 102.
Shulze, G. C., 214.
War Department, U. S., 78, 146, 184, 257, 406, 485, 575, 580.
Exchange of naval prisoners, 406–409.
Neally, ———. See *John McGill.*
Nearing, Jesse, 421.
Negley, David D.
Correspondence, J. H. Trezevant, 168.
Negroes.
Captured in arms, 26, 27, 109, 153, 154, 175, 176, 197, 316, 441, 442, 471, 500, 501, 659, 803.
Employment as laborers, 26, 27, 109, 153, 154, 175, 176, 354, 355, 359, 361–363, 374, 382, 396, 471, 651, 803.
Prisoners sold into slavery, 586, 587, 633, 634, 640, 646, 652, 703.
Report of E. A. Hitchcock, exchange, treatment, etc., 799–809.
Return of slaves to masters, 175, 176.
Revaleon and Amos case, 586, 587, 633, 634, 640, 646, 652, 703.
Texas penitentiary, 659.
Nelson, Samuel, 667.
Nesbit, Dr., 783.
Netherlands, George, 273.
Newberger, J., 315.
New Orleans, La.
Monthly returns of prisoners, from November, 1863, to June, 1865, 993–1002.
Newport Bridge, Fla. Skirmish, Mar. 5–6, 1865.
Prisoners of war, 405, 406, 411, 441, 442, 472.
Newport News, Va.
Discontinuance as prison depot, 714.
Establishment of prison depot, 477, 480, 482, 488.
Final release of prisoners, 700, 701.
Hospital, 493.
Inspections, 505.
Management, needs, etc., 505.
Monthly returns of prisoners, from April to July, 1865, 1001–1003.
Orders, Special, series 1865: **No. 12**, 508; **No. 14**, 510.
Removal of sick and wounded prisoners, 689, 690, 693, 694.
Shooting of prisoners, 508.

Newspapers.
Correspondents in captivity, 88, 89, 810.
Ill-treatment of prisoners, 15–18, 37–59.
Newton, John.
Correspondence:
Canby, E. R. S., 442, 472, 498.
Jones, S., 441, 442, 500.
Mentioned, 411, 472.
New York, Steamer, 182, 217, 359, 421, 436, 811.
New York City, N. Y.
Attempted destruction by fire, Nov. 25, 1864, 414–416, 428, 429, 850, 852, 857–860.
New York Herald, 846, 973, 978–980.
New York News, 37, 917.
New York Times, 712.
New York Times, Editor of.
Correspondence, B. F. Butler, 102.
Mentioned, 347.
New York Tribune, 88, 810, 932.
New York Troops.
Infantry—*Regiments:* **162d, 165th, 173d,** 643.
New York World, 915.
Nichols, William A.
Correspondence. See *Adjt. Gen.'s Office, U.S.A.*
Nicolay, John G.
Correspondence. See *Abraham Lincoln.*
Noble, John W.
Correspondence, J. S. Lytle, 125.
Mentioned, 124.
Noble, William H., 233.
Noblom, A. P., 487, 558.
Noland, Mr., 296.
Nolton, Charles.
Correspondence, E. R. S. Canby, 206.
Norfolk, Va.
Discharge of civilian employés of prison, 650.
Indictment of paroled prisoners, 651.
Release of prisoners, 650.
Norris, William.
Correspondence, J. E. Mulford, 643.
Mentioned, 652, 707–709.
North Carolina.
Execution of prisoners, 2d Regt. (U.), 903, 904.
Supplies for prisoners of war, 85.
North Carolina, Department of (U.).
Orders, Special, series 1865: **No. 12,** 296.
North Carolina, Governor of.
Correspondence:
Booth, G. W., 178.
Johnson, B. T., 168, 211.
War Department, C. S., 85, 167, 198, 205.
North Carolina Troops (U.).
Infantry—*Regiments:* **1st, 2d,** 903.
Northern Ala. and Middle Tenn. Campaign.
Nov. 14, 1864–Jan. 23, 1865. Prisoners of war, 56.
Northern Department (U.).
Orders, General, series 1865: **No. 4,** 132; **No. 30,** 502.
Orders, Special, series 1865: **No. 148,** 695.
Northern Virginia, Army of (C.).
Indictment of paroled prisoners, 651.
Surrender and parole, Apr. 9, 1865, 481, 483, 485, 486, 488, 505, 506, 510, 511, 513, 515, 517–520, 543, 651, 770–772, 828, 829.
Northrop, Lucius B.
Correspondence. See *Subsistence Dept., C. S. A.*
Mentioned, 11, 160, 312, 652, 689, 764, 782.
Norvell, Charles, 95.
Noyes, Frank G.
Correspondence:
Granger, G., 27, 67, 82, 129, 240.
Hunt, L. C., 199.
Paine, H. E., 123, 124.
Mentioned, 128, 189, 199, 283, 314.
Noyes, Henry E., 538, 586, 776.
Nurses.
Exchange, treatment, etc., 393, 394.
Oaths of Allegiance.
Amnesty proclamation, 239, 240, 260, 266, 319, 366, 578–580, 668–671.
Priority of exchange upon taking, 187.
Prisoners of war, 52, 53, 76, 77, 82, 187, 203, 210, 216, 219, 220, 237, 260, 266, 319, 320, 332, 366, 368, 374, 445, 501, 521, 536, 540–542, 556–558, 581, 582, 585, 633, 636, 641, 648, 649, 682, 683.
Taken under duress, 52, 53, 76, 77.
O'Conner, T. S.
Correspondence, E. R. S. Canby, 206.
O'Connor, P. E.
Correspondence, H. W. Wessells, 52, 76.
Mentioned, 76.
O'Conor, Charles.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 634, 640, 657.
Davis, Jefferson, 634, 655.
Mentioned, 639, 642, 647, 655–658, 910, 912, 919, 920, 949, 975.
Tenders legal services to Jefferson Davis, 634, 639, 640, 642, 647, 655, 657, 658, 666.
Officers.
Captured, of colored troops, 19, 20, 48, 64, 65, 171, 172, 393, 425.
Confinement at Charlotte, N. C., 210, 217, 224, 225, 263.
Exchange of, for private citizens, 194.
Exchange of, for specific equivalents, 31, 32, 58, 61, 73, 95, 109, 218, 219, 242, 243, 307, 322, 410.
Final release, confined at Fort Delaware, 673.
General officers withheld from exchange, 237.
Southwestern Virginia expedition, Dec. 10–29, 1864, 58, 95, 134, 135, 156, 193, 277–279.
Trans-Mississippi, forwarded for exchange, 228, 229.
Under fire, Charleston Harbor, S. C., 39, 74, 216, 432, 433.
Union, transferred from Columbia, S. C., to Charlotte, N. C., 210, 217.
Withheld from exchange for attempted escape, 206, 207.
Offutt, G. W., 360.
Oglethorpe, Camp, Ga.
Management, needs, etc., 765.
Ogletree, G. G., 794.
Ohio Belle, Steamer, 487.
Ohio, Governor of.
Correspondence:
Adjutant-General's Office, U. S. A., 302, 305.
War Department, U. S., 257.
Ohio Penitentiary.
Monthly returns of prisoners, for January and March, 1864, 994, 995.
Ohio Troops.
Infantry—*Regiments:* **75th,** 635, 656; **77th,** 319; **107th,** 635, 656; **120th,** 643; **128th,** 653.

O'Keif, Mr., 516.
O'Laughlin, Michael, 696, 698–700.
Old Capitol Prison, D. C.
Discontinuance, 819, 820.
Monthly returns of prisoners, from October, 1862, to October, 1865, 987–1004.
Oldham, Williamson S., 849, 850.
Olimegar, ———, 197.
O'Meara, Barry Edward, 917.
O'Neal, Weden, 278.
O'Neil, John, 233.
Ord, Edward O. C.
Agreement with J. Longstreet, 315, 401.
Correspondence:
Chandler, D. T., 526.
Gordon, G. H., 650.
Grant, U. S., 187, 313.
Halleck, H. W., 567, 583, 636.
Longstreet, J., 315.
War Department, U. S., 527, 566, 568.
Mentioned, 310, 317, 336, 418, 419, 480, 482, 650, 725, 911.
Order of American Knights.
Trials, etc., for conspiracy, 6–11, 54, 502, 503, 523–525, 532, 533, 543–549, 573, 583, 584, 586–588, 637–639, 644–646, 684–689, 724, 725, 896, 897, 928.
Ordway, Albert.
Correspondence:
Edmunds, T. F., 667, 671, 706.
Gilmore, S., 744.
McEntee, J., 667, 671, 706.
Schoonmaker, J. M., 667, 671, 706.
Terry, A. H., 745.
Mentioned, 745.
Ormond, James, 131.
Osband, Embury D., 126.
Osterhaus, Peter J.
Correspondence. See *Edward R. S. Canby.*
Otey, John M.
Correspondence. See *G. T. Beauregard.*
Ould, Robert.
Charges against, 529, 530, 667, 706, 707.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 88.
Beall, J. Y., 400.
Beall, W. N. R., 27, 79, 389.
Bragg, B., 269.
Brandon, W. L., 233.
Brock, J. B., 333.
Butler, B. F., 101–103, 808.
Christian Commission, U. S., 92.
Davis, Jefferson, 381, 400.
Echols, J., 389.
Gardner, W. M., 191, 198, 208, 233.
Grant, U. S., 14, 45, 57, 70, 74, 83, 89, 91, 99, 113, 122, 202, 206, 216, 240, 368, 379, 380, 413, 414, 482.
Henderson, H. A. M., 489.
Hitchcock, E. A., 99, 101, 102.
Imboden, J. D., 458.
Johnson, B. W., 374.
Lee, R. E., 431.
Ludlow, W. H., 99, 809.
Meredith, S. A., 99.
Miles, W. P., 194.
Mulford, J. E., 33, 34, 57, 63, 86, 87, 93, 95, 99, 102, 130, 131, 136, 181, 187, 230, 231, 238, 307, 308, 360, 364, 369, 370, 380, 393–396, 417, 421, 427, 439, 440, 492, 809.
Ould, Robert—Continued.
Correspondence:
Navy Department, C. S., 239, 300.
Parham, S. J., 432.
Pollard, E. A., 88.
Richardson, J. S., 446.
Rutherford, J. C., 277, 417, 492.
Steever, W., 208.
Surgeon-General's Office, C. S. A., 95.
Taylor, T., 61.
Turner, T. P., 239.
Virginia, Legislature of, 91, 92.
War Department, C. S., 97, 109, 240, 267, 333, 356, 357, 363, 368, 431, 443.
War Department, U. S., 99, 809.
Winder, J. H., 194, 805.
Mentioned, 2, 6, 13, 15, 22, 29, 34, 40, 56, 58, 63, 71, 73, 74, 78, 79, 86, 89, 91, 96, 98, 104, 113, 114, 128–130, 132, 136, 139, 140, 150, 162, 167, 170, 171, 178, 187, 199, 210, 214, 215, 217, 219–221, 227, 228, 241, 243, 257, 259, 268, 282, 283, 286, 290, 295, 298, 301, 306, 310, 313, 314, 320, 321, 326, 335, 336, 349, 353, 365, 368, 373, 382, 383, 398, 410, 411, 417–420, 423, 424, 428, 429, 435, 438, 444, 446, 479, 481, 488, 492, 493, 502, 504, 515, 519, 522, 529, 530, 535, 556, 571, 572, 624, 636, 643, 667, 668, 706, 707, 716, 748, 801, 802, 804–806, 808.
Movements after fall of Richmond, 482.
Statement, Committee C. S. Congress, 351–353.
Overton, John, 319, 501, 513.
Owens, Wesley.
Correspondence, N. Wilkinson, 636.
Owens, William N., 72.
Pacific, Department of the (U.).
Orders, General, series 1865: **No. 52**, 674.
Paine, Halbert E.
Correspondence:
Beall, W. N. R., 14, 21, 23, 40, 63, 114, 124, 131, 136, 140, 173, 174, 189, 235, 283, 284, 308, 314.
Halleck, H. W., 13, 14, 21, 79, 114, 131, 139, 188, 195, 258, 282.
Hoffman, W., 180, 270, 271.
Hunt, L. C., 193.
Noyes, F. G., 123, 124.
Vance, R. B., 189.
Van Vliet, S., 132, 136, 192.
Wessells, H. W., 130, 151, 154, 171.
Mentioned, 13, 23, 24, 31, 106, 124, 201, 215, 230, 306, 502.
Palfrey, Edward A.
Correspondence. See *Adjutant and Inspector General's Office, C. S. A.*
Palmer, Mr., 764.
Palmer, Henry.
Correspondence, J. Simpson, 231.
Mentioned, 231.
Palmer, Innis N.
Correspondence, G. E. Pickett, 903.
Palmer, J. W.
Correspondence, War Dept., C. S., 204, 261, 309.
Palmer, James S.
Correspondence:
Crocker, F., 316.
Dwight, C. C., 45.
Palmer, John M.
Correspondence:
Hobson, E. H., 336.
War Department, U. S., 306, 536.

Palmer, John M.—Continued.
Mentioned, 302, 391.
Palmer, Johnson S., 33, 114, 132.
Palmer, Manuel, 274.
Palmer, William, 67.
Palm's Foundry, Saint Louis, Mo.
Establishment of prison, 85.
Parham, Samuel J.
Correspondence, R. Ould, 432.
Parker, Mr., 239.
Parker, Foxhall A.
Correspondence, G. C. Shulze, 214.
Mentioned, 562.
Parker, Francis S.
Correspondence, R. F. Hoke, 270, 276.
See also *Robert F. Hoke.*
Parkhurst, John G.
Correspondence:
Forrest, N. B., 325, 326, 335, 402.
Hoffman, W., 518, 543.
Thomas, G. H., 244, 323, 324, 332, 354, 367, 369–371, 402.
Mentioned, 327, 448.
Negotiations with N. B. Forrest, 244, 323–328, 354, 402, 448.
Parks, John G., 296.
Paroled Prisoners.
Alabama, Mississippi, and East Louisiana, Department of (C.), May 4, 1865, 531, 540–542, 717, 718, 828, 829.
Andersonville prison, Ga., 532, 552, 553.
Annapolis, Md., 435, 436.
Appomattox Court-House, Va., Apr. 9, 1865, 480, 481, 483, 485, 486, 488, 505, 506, 513, 515, 517–520, 543, 651, 770–772, 828, 829.
Arrest of, 587.
Authority to leave United States, 719.
Bearing arms, 521.
Confederate, in transit through Baltimore, Md., 513, 515, 519.
Hospital duty, 229, 230, 307.
Indicted by civil authorities, 651.
Instructions respecting, 54, 312, 376, 410, 480, 492, 510, 511, 515, 517, 519, 536, 543, 549–552, 556, 557, 563, 568, 582, 587, 634–636, 651, 656, 682, 683, 715.
Kentucky, 520, 536.
Killed by explosion of steamer Sultana, Apr. 27, 1865, 518, 522, 540.
Leaving post to work, 54.
Liability for offenses prior to parole, 587, 636.
Police or other duty, 312, 410.
Public appearance in Confederate uniform, 506, 521, 533, 534.
Recaptured on furlough, 472, 473.
Rendezvous, 284, 285, 404, 405, 418, 421, 422.
Requirement of oaths from, 517.
Return of Confederate, to their homes, 505, 506, 508, 511, 513, 515, 518–521, 529, 533, 534, 536, 539–543, 549, 550, 552, 556–558, 567, 568, 582, 588, 644, 650, 682, 683, 715.
Service against Indians, 359.
Sick or wounded, 659.
Southwestern Virginia expedition, Dec. 10–29, 1864, 58, 95, 134, 135, 156, 193, 277–279.
Stoneman's raid, Apr. 29–May 7, 1863, 88.
Subsistence, 480.
Paroled Prisoners—Continued.
Supervision and control, 518, 521, 529, 543.
Tennessee, Army of, Apr. 26, 1865, 513, 770–772, 828, 829.
Thompson's (M. Jeff.) army, 521.
Trans-Mississippi Army, May 26, 1865, 575, 648, 717, 720, 828, 829.
Transportation, 480, 505, 522, 523, 651, 656.
Vicksburg, Miss., Jan. 20–July 4, 1863, 208, 233, 234.
Wilson's raid, Mar. 22–Apr. 24, 1865, 508.
Paroles.
Instructions respecting, 536.
Officers negotiating personal exchange, 194.
Prisoners en route for delivery, 188.
Revocation by superior authority, 372, 379.
Stragglers, Appomattox campaign, 488.
To remain in vicinity of prison, 54, 168–170.
Violating cartel inoperative, 88, 95, 154–156, 184–187, 208.
Parsons, Enos B.
Correspondence, W. H. Wiegel, 201.
Parsons, Lewis E., 951.
Parsons, Philo, Steamer. See *Philo Parsons.*
Patrick, Marsena R., 260.
Patten, John H., 816, 883–885, 890, 891, 921–923, 937, 942–944, 963, 964, 973, 979.
Patterson, David T., 711.
Patterson, E. E., 307.
Patterson, E. J., 53.
Patterson, George, 426.
Paulen, J. W.
Correspondence, E. R. S. Canby, 206.
Pavey, Charles W.
Correspondence, L. Trumbull, 35.
Pawtuxet, U. S. S., 566.
Payne, C. A.
Correspondence, E. R. S. Canby, 206.
Payne, Lewis, 696–700, 856, 978.
Payne, William H.
Correspondence, C. C. Augur, 567.
Mentioned, 568.
Peacher, C. E., 431.
Peacocke, ——, 783.
Pearson, George F., 751.
Peck, John J.
Correspondence:
Pickett, G. E., 903.
War Department, U. S., 666, 667.
Mentioned, 136, 903, 904.
Pegram, James W.
Correspondence, R. S. Ewell, 300.
Pelouze, Louis H.
Correspondence:
Adjutant-General's Office, U. S. A., 755.
Miles, N. A., 755.
See also *War Department, U. S.*
Mentioned, 907.
Pendleton, Eugene B., 60, 131.
Penfield, Charles G., 19, 48, 171.
Penn, Davidson B., 95, 131.
Pennington, S. F., 169.
Pennsylvania.
Operations in. See *Gettysburg. Battle, July 1–3, 1863.*
Pennsylvania, Legislature of.
Citizens captured at Gettysburg, 426.

Pennsylvania Troops.
Artillery, Heavy—*Regiments:* **3d,** 782.
Infantry—*Regiments:* **150th,** 571.
Perkins, Mr., 939.
Perkins, Francis W., 83, 200.
Perkins, James W.
Correspondence, Jefferson Davis, 201.
Perkins, John, jr., 337.
Perry, Alexander J.
Correspondence. See *Q. M. Gen.'s Office, U.S.A.*
Perry, Benjamin F., 713.
Perry, Madison S.
Correspondence. See *Florida, Governor of.*
Mentioned, 663, 866.
Perry, William, 370.
Perryman, W. J.
Correspondence, Jefferson Davis, 201.
Persons, A. W., 731, 773.
Pet, Steamer, 407.
Pettus, William R., 637, 671.
Peyton, T. G., 457.
Phillips, C., 131.
Phillips, H. F., 414.
Phillips, J., 414.
Phillips, Joseph, 164.
Philo Parsons, Steamer.
Mentioned, 279, 280, 398, 708.
Seizure, Sept. 19, 1864, 83, 84, 279–282, 398–400, 416.
Phipps, William M., 324–326.
Pickens, Francis W.
Correspondence. See *South Carolina, Gov. of.*
Mentioned, 866.
Pickens, Fort, Fla.
Monthly returns of prisoners, from September, 1862, to October, 1865, 987–1004.
Pickett, Francis W., Mrs., 867.
Pickett, George E.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 903.
Palmer, I. N., 903.
Peck, J. J., 903.
Mentioned, 903, 904.
Pierce, B. W., 315.
Pierce, George W., 71, 72.
Pierson, Walter H., 423.
Pillow, Gideon J.
Assignments, 205, 224.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 205.
Hoffman, W., 433.
Scammon, E. P., 427, 436, 445.
War Department, C. S., 421.
Mentioned, 205, 224, 422, 426, 436, 465, 470, 471, 487.
Pilsbury, Amos.
Correspondence:
Hitchcock, E. A., 114.
Hoffman, W., 436.
Wessells, H. W., 132.
Mentioned, 736.
Pineo, Peter, 919.
Pitman, Benn, 549, 700, 977.
Place, Frank, 66.
Planter, Steamer, 408.
Plumlee, A. C., 197, 223, 267, 272.
Poerio, Carlo, Baron, 916.
Point Lookout, Md.
Additional hospital buildings, 133, 134.
Assembling prisoners for exchange, 173.
Complaints of ill-treatment, 347.
Discontinuance as prison depot, 705, 714.
Final release of prisoners, 700, 701.
Inspections, 462, 463.
Management, needs, etc., 30, 180.
Monthly returns of prisoners, from July, 1863, to June, 1865, 991–1002.
Mortality reports, 49.
Numbers held, 49.
Prisoners en route for exchange, 259.
Sick and wounded, 557, 558, 582.
Political Prisoners.
Alabama, 576, 648, 674.
Amnesty, 551, 662–664, 668–671, 702, 703, 713, 714, 736–738, 763, 764, 769, 774, 775, 812–814, 833, 862–867.
Arrest, confinement, etc., 23, 68, 69, 471, 472, 500, 504, 517, 519, 526, 530, 532, 534, 535, 539, 549–554, 557–578, 583, 640, 641, 647, 648, 652, 653, 657, 658, 664, 673, 674, 682, 689, 690, 692, 695, 701, 703, 706, 709, 712, 714–720, 723, 724, 736, 739, 740, 744, 746, 747, 754, 755, 760, 761, 763, 767, 769, 775, 790, 834, 840–842, 846, 847, 861, 867, 869, 871, 872, 880–883, 885–890, 892–894.
Captured with Jefferson Davis, 558–562, 568–570, 572–575, 648, 650, 660, 709, 710, 774, 775, 816, 817, 838–840.
Close confinement or in irons, 565, 571, 577.
Congress, U. S., 255–257, 843–845, 847–867, 898, 899, 921–923, 962–964.
Defined, 302.
Delaware, Fort, Del., 660.
East Tennessee, 369, 370.
Employés C. S. Govt., 496, 529, 534, 578–580.
Employment of counsel, 655, 666.
Exchange, treatment, etc., 313, 317, 320, 329, 380, 381, 394.
Extradition, 549.
Female, 501, 506, 507, 513.
Instructions respecting, 647, 652, 653, 660, 673, 692, 701, 709, 712, 718, 719, 740, 741, 744, 747, 754–761, 763, 764, 767, 775, 834, 841, 842, 871, 872, 874, 888, 890, 910–913, 925, 926.
Investigation and determination of cases, 6–11, 23, 68, 69, 104, 165, 191, 225, 255–257, 301, 302, 313, 317, 320, 394, 429, 445, 468, 469, 471, 472, 496, 497, 500, 501, 504, 506, 507, 513, 523, 525, 526, 532, 533, 543–549, 557, 583, 584, 586–588, 637–639, 664, 896, 897.
Kentucky, 23.
Lafayette, Fort, N. Y. Harbor, 577, 578, 640, 652, 720, 729, 739, 769.
Mississippi, 578.
Monroe, Fort, Va., 559–566, 570, 571, 573, 576–578, 639, 640, 642, 647, 653, 657, 673, 682, 691, 695, 710–712, 715–720, 736, 739–744, 746–748, 754–761, 763, 767, 769, 770, 772, 773, 775, 834, 840–842, 846, 847, 867, 869–872, 874, 875, 880–883, 885–890, 892–894, 896, 897, 899, 900–902, 904–921, 925, 926, 929–931, 945–956, 962, 965–968, 972–976, 978, 980–983.
Order of American Knights, 6–11, 54, 502, 503, 523–525, 532, 533, 543–549, 573, 583, 584, 586–588, 637–639, 644–646, 684–689, 724, 725, 896, 897, 928.

Political Prisoners—Continued.
Parole or release, 313, 639, 664, 692, 701, 703, 709, 729, 763, 764, 774, 775, 784, 815, 816, 844, 870, 885, 893, 895, 897-900, 902, 905, 909.
Pulaski, Fort, Ga., 511, 576, 577, 583, 640, 641, 647, 648, 664, 674, 692, 701, 703, 709, 723, 724, 761, 762.
Refugees into Mexico, 755, 760, 761, 782, 784, 794, 795, 845, 870, 897, 898, 900, 902, 905, 909.
Secret service, Confederate, 516.
Sentence of death, 548, 549, 583, 584, 586-588, 637-639.
South Carolina, 640, 641, 674.
Supervision and control, 572-575.
Transportation, 561.
Warren, Fort, Mass., 558, 559, 561, 562, 568, 572-577, 576, 577, 712, 718, 719.
See also *Citizens*.
Pollard, Edward A.
Correspondence, R. Ould, 88.
Pollard & Smith, 768.
Pomeroy, Johnson, 93.
Ponsonby, Patrick, 121.
Pool, W. C.
Correspondence, E. R. S. Canby, 206.
Pope, Henry, 274.
Pope, John.
Correspondence:
Adjutant-General's Office, U. S. A., 743.
Dodge, G. M., 358, 469.
Grant, U. S., 644.
Mentioned, 358, 469.
Poppleton, O. O.
Correspondence, B. F. Butler, 26, 109, 803.
Mentioned, 803.
Porter, Peter A.
Correspondence, W. Hoffman, 101.
Porter, Thomas K., 53.
Porterfield, Mr., 859, 940, 941.
Portland, Me., Collector of Port at.
Correspondence, War Department, U. S., 517.
Portland, Me., Mayor of.
Correspondence, War Department, U. S., 517.
Portland, Me., U. S. Marshal at.
Correspondence, War Department, U. S., 493.
Postell, William R., 408.
Post-Office Department, C. S. See *John H. Reagan*.
Potter, L. T., 55.
Powell, Mr., 816.
Powell, Robert M., 95, 131.
Pradt, Thomas G., 925, 975.
Prairie State, Steamer, 119.
Pratt, Charles B.
Correspondence:
Hoffman, W., 391, 461.
Spencer, T. C., 461.
Mentioned, 107, 391.
Prentice, George D., 155.
Prentice, John A.
Correspondence:
Adjutant-General's Office, U. S. A., 896, 897.
War Department, U. S., 896.
Receipt for Indiana conspirators, 639.
Prentice, John G.
Correspondence, W. Hoffman, 542, 552.
Prescot, Tracy, 101.
Prescott, William.
Correspondence, E. R. S. Canby, 206.
Mentioned, 643.
President, C. S. See *Jefferson Davis*.
President, U. S. See *Abraham Lincoln*; also *Andrew Johnson*.
Preston, Private, 60.
Preston, Charles H. C., 193.
Prettyman, Mr., 16.
Prey, Gilbert G., 220, 221.
Price, H. J., 237.
Price, Sterling, 60, 376.
Price's Missouri Expedition. Aug. 29-Dec. 2, 1864.
Prisoners of war, 59, 60, 233, 396, 397, 430, 489, 491, 494, 496-498, 507, 508, 511-514.
Prim, Francis M., 119.
Prim, General, Schooner, 408.
Prince, James P.
Correspondence, H. S. Burton, 972.
Pringle, Motte A., 54, 55.
Printup, Daniel S.
Correspondence, W. N. R. Beall, 215.
Mentioned, 131, 237.
Prisoners of War.
Alabama, C. S. S., 266, 267, 407, 408, 427, 751, 752.
Albemarle, C. S. S., Oct. 27, 1864, 78, 214.
Amnesty, 151, 239, 240, 260, 266, 332, 521, 526-529, 534-536, 556, 582, 641, 820, 821.
Arkansas, 521, 536, 539.
Athens, Ala., Sept. 24, 1864, 26, 27, 109, 153, 154, 803.
Christian Commission, U. S., 1, 2, 89, 92, 122, 123.
Close confinement or in irons, 6, 22, 23, 26, 28-30, 34, 35, 53, 57, 58, 63, 71, 74, 79, 80, 86-88, 90, 91, 95, 96, 103, 104, 109, 114, 115, 121, 122, 126, 129-132, 136, 159, 170, 171, 176-178, 182, 186, 191, 193, 194, 196, 198, 208, 222, 223, 225-228, 230, 231, 236, 242, 258-260, 270, 271, 291, 294, 296, 301-303, 305-309, 329, 347, 348, 360, 363, 364, 368-371, 379, 380, 382-396, 400, 401, 403, 405, 409, 413, 414, 419, 420, 423, 424, 428-430, 436, 439, 440, 470, 550, 571, 572, 811.
Clothing, 23-25, 36, 66, 90, 105, 106, 135, 137, 151, 154, 163, 180, 195, 196, 258.
Complaints of ill-treatment, 6, 15-18, 30, 37-39, 50-53, 76, 77, 153-156, 167, 168, 175, 176, 178, 179, 184-187, 198, 205, 211, 212, 245-255, 264, 265, 328, 329, 337-353, 383-389, 441, 442, 500, 501, 552, 553, 753, 754, 764-766, 777-781.
Confinement of officers with enlisted men, 168-170.
Congress, C. S., 49, 337-353.
Contributions by friends, 54, 66, 95, 110, 136, 139, 140, 154, 163, 172, 173, 187, 188, 264, 270, 303, 312, 313, 343, 581, 636, 652, 653.
Correspondence, 52, 53, 76, 77.
Cotton sales for relief of Confederate prisoners, 2, 13-15, 20-24, 27, 30, 51, 52, 57, 63, 64, 67-70, 73, 74, 77-79, 82, 83, 90, 113, 114, 123, 124, 128, 129, 137, 151, 166, 199, 200, 202-204, 227, 233, 240-242, 257, 282-284, 308, 313-315, 356, 359, 365, 389, 434, 459, 487, 489, 502, 558.
Counsel for fellow-prisoners, 83, 84, 91.
Cumberland, Department of the (U.), 96.
Dalton, Ga., Oct. 13, 1864, 175, 176.

Prisoners of War—Continued.
Death sentences, 28–30, 34, 35, 132, 133, 182, 191, 204, 216, 217, 279–282, 398–400, 414–416, 550, 674–681, 811.
Declining exchange, 203, 210, 215, 216, 219, 220, 234, 237, 239, 240, 260, 266, 271, 272, 289, 301.
Egypt Station, Miss., Dec. 28, 1864, 124–126, 201, 358, 359, 552, 554.
Employment as clerks, 221, 222, 307.
Enlistments in C. S. service, 124–126, 201, 358, 359, 554, 691, 692.
Enlistments in U. S. service, 358, 359.
Escapes in transit, 449–457.
Exchanged prisoners, 297, 311, 312, 338, 339, 376.
Executions, 395, 398–400, 421, 431, 903, 904.
Exposing to enemy's fire, 39, 74, 216, 432, 433.
Final release of Confederate, 514, 518, 521, 533, 536, 538–543, 549, 551, 552, 555–558, 567, 568, 580–585, 633, 641, 648–650, 653, 656, 673, 682, 683, 689–694, 700, 701, 709, 710, 713, 923, 924, 929.
Final release of Union, 555, 563, 634, 635, 642, 643, 652, 656, 659, 682, 683.
Florida, C. S. S., 83, 91, 133, 151, 163, 170.
Foraging parties, 303.
Galvanized Yankees, 124–126, 201, 358, 359, 554, 691, 692.
Held for civil offenses, 129, 130.
Hospital duty, 229, 230, 307.
Isaac Smith, U. S. S., 146, 147, 257.
Laborers, 441, 442, 500, 501.
Lookout Mountain, Tenn., Nov. 24, 1863, 201, 202.
Manifestations of sympathy toward, 264, 270, 303.
Masonic fraternity, 563, 581.
Medical attendance and supplies, 122, 123, 437, 666, 667.
Missionary Ridge, Tenn., Nov. 24–25, 1863, 201, 202.
Morgan's raid, July 2–26, 1863, 88, 154–156, 184–187.
Morning Light, U. S. S., 59, 316.
Mortality reports, 48, 49, 79, 80, 92, 96, 946–948.
Mosby's command, 93, 431, 432.
Murdered by captors, 19, 20, 48, 64, 65, 163, 164, 171, 172, 291, 293, 303, 379, 386–388, 393, 425, 441, 442, 500, 501.
Murdered by citizen, 258.
Murdered by fellow-prisoner, 401, 403, 405, 637, 638, 671.
Natural Bridge, Fla., Mar. 6, 1865, 471.
Negroes. See *Negroes*.
Oaths of allegiance, 52, 53, 76, 77, 82, 96, 187, 203, 210, 216, 219, 220, 237, 260, 266, 319, 320, 332, 366, 368, 374, 445, 501, 521, 536, 540–542, 556–558, 581, 582, 585, 633, 636, 641, 648, 649, 682, 683.
Parole or release, 160, 490, 501, 518, 521, 533, 535, 538–543, 549, 555–558, 567, 568, 575, 580, 582, 585, 633, 649.
Payment for clothing lost in transit, 487.
Pillow's proposition to ameliorate condition, 433–435.
Punishment, 206, 207, 348.
Ration regulations, 62, 63, 295, 296, 372, 647.
Reciprocal attention by surgeons, 122, 123, 437.
Re-enlistment while in captivity, 201, 202.
Refugees into Mexico, 720.
Regulations governing, 457, 458, 538, 539, 583.

Prisoners of War—Continued.
Returns C. S. military prisons:
Andersonville, Ga., 161, 458, 459, 471, 1004.
Orders requiring, 422, 423.
Salisbury, N. C., 253–255.
Returns U. S. military prisons:
July, 1862–March, 1866, 986–1004.
Selected for execution, 164, 291, 379.
Shot by prison guards, 66, 67, 107, 108, 115, 116, 291, 292, 342, 467, 508–510, 691–693, 777–781, 794, 795, 834, 835, 951.
Sick and wounded, 5, 6, 25, 56, 97, 161, 231, 232, 295, 296, 311, 312, 339–341, 464, 465, 557, 558, 582, 585–632, 642, 643, 656, 664–667, 689, 690, 693, 694, 700, 701.
Side-arms and other property, 54, 110, 131, 153, 154, 172, 312, 313, 446, 456–458, 512, 513, 529, 530, 534, 535, 557, 558, 581, 582, 636, 652, 653, 661, 667, 671, 672, 706, 707, 721–723, 744–746, 753, 754, 872, 873, 885–887, 889, 895, 906, 911, 912, 967.
Spies. See *Spies*.
Subsistence, 137–139, 159–161, 163, 297, 376.
Sulphur Branch Trestle, Ala., Sept. 25, 1864, 26, 27, 109, 803.
Supervision and control, 309, 367, 442, 444, 447, 479, 480, 484, 647, 648.
Supplies for, from respective Governments, 2, 13–15, 20–25, 27, 28, 30, 31, 36, 40, 45, 46, 51, 52, 56, 57, 63, 64, 67–74, 77–79, 82, 83, 85, 90–92, 95, 105, 106, 113, 114, 123, 124, 128, 129, 131, 132, 135–137, 139, 140, 151, 154, 166, 167, 171, 173, 174, 180–182, 188–190, 192, 193, 195, 199–204, 215, 220, 221, 227, 228–230, 233, 235, 238, 240–242, 257, 258, 270, 271, 282–284, 289, 306–308, 313–316, 318, 336, 356, 359, 365, 389, 431, 434, 459, 487, 489, 502, 558, 581, 648, 649, 661, 748–750, 802, 803, 805, 811, 873, 885–887, 889, 893, 911, 912, 967.
Tabular statements of exchanged, paroled, etc.:
During the war, 821–832.
Nov. 1, 1863–Jan. 1, 1865, 1.
Jan. 1, 1864–Mar. 4, 1865, 460.
Sept. 7, 1864–Jan. 20, 1865, 96.
Nov. 1, 1864–Mar. 22, 1865, 424.
Nov. 25, 1864–Feb. 7, 1865, 258, 259.
Jan. 1–Oct. 20, 1865, 770–772, 811, 812.
Jan. 6, 1865, 32, 33.
Feb. 3, 1865, 174.
Apr. 9, 1865, 481.
April and May, 1865, 682.
May 4, 1865, 531, 718.
May 26, 1865, 717.
May 27, 1865, 584, 585.
Taken under flag of truce, 474, 485.
Tobacco sales for benefit of Confederate prisoners, 873, 885–887, 889, 893, 911, 912, 967.
Tobacco sales to prisoners prohibited, 409.
Torpedoes, use of prisoners in removing, 49, 50.
Trade and intercourse, 303.
Trade with sutlers, 95, 187, 188, 195, 215, 271.
Transfers of, instructions governing, 271.
Transportation, 13, 182, 192, 231, 232, 239, 276, 277, 293, 294, 297–300, 309–311, 333, 334, 351–353, 363, 366, 367, 383, 421, 437, 449–457, 480, 490, 505, 516, 518, 519, 540–543, 557, 558, 582, 633, 641, 651, 656.

Prisoners of War—Continued.
Uniforms purchased from proceeds of cotton sales, 227, 241, 257, 289, 314, 315.
Vegetables included in supplies, 647, 648.
See also—
Exchange, Delivery, etc., of Prisoners.
Paroled Prisoners.
Political Prisoners.
Prisoners' Side-Arms, Money, etc. See *Prisoners of War.*
Prisons or Camps.
Abandonment or discontinuance, 83, 86, 111, 127, 213, 214, 411–413, 426, 436, 445, 449–457, 500, 661, 695, 701, 704, 705, 714, 727, 819, 820.
Arrests, trials, etc., for ill-treatment of Union prisoners, 534, 535, 537, 538, 552, 553, 557, 558, 586, 633, 636, 639, 730–736, 744, 746, 753, 754, 764, 773–794, 796–799, 814, 815, 817, 819, 820, 834, 881, 882, 887, 888, 911, 912, 920, 926–930, 952, 956–961, 966.
Chief medical officer (C.) of, appointed, 19.
Containing no commissioned officers, 130.
Females, 261.
Instructions governing, 201, 271, 295, 296, 302, 331, 332, 372, 409.
List of principal Confederate, 1004.
Ministers holding divine service, 271.
Monthly returns of prisoners, etc. See respective prisons.
Mutiny, 117–122.
Paroles to remain in vicinity, 54, 160.
Prison fund, 62, 63, 134, 152, 323, 703–705, 767, 768.
Regulations, 62, 63, 110, 574, 575.
Savings of rations, 767, 768.
Security of prisoners, 11, 12, 96, 111, 127, 184, 191, 209–213, 225.
Selections, etc., 11, 12, 83, 85, 86, 96, 127, 181, 184, 191, 209–213, 217, 218, 226, 245, 270, 336, 404, 405, 413, 414, 447, 463, 464, 469, 476, 477, 479, 480, 482, 488.
Temporary, for prisoners in transit, 413, 414.
Pritchard, Benjamin D.
Correspondence:
Adjutant-General's Office, U. S. A., 558.
Halleck, H. W., 562, 566.
Miles, N. A., 570.
War Department, U. S., 559.
Mentioned, 559, 563–566, 569, 570, 769.
Prosser, William F., 179.
Provost-Marshal-General, U. S. A.
Correspondence:
Butler, B. F., 102.
Doughty, C. H., 517.
Pruett, P. H., 142, 229.
Pryor, Roger A., 83, 84, 191, 301, 313, 317, 320.
Puffer, Alfred F.
Correspondence. See *Benjamin F. Butler.*
Pulaski, Fort, Ga.
Condition of prisoners, 163.
Exchange, delivery, etc., of prisoners, 218, 219, 419, 432, 433.
Orders, Circulars, series 1865: **Jan. 13**, 66.
Political prisoners, 511, 576, 577, 583, 640, 641, 647, 648, 664, 674, 692, 701, 703, 709, 723, 724, 761, 762.
Subsistence, 163.
Purcell, Mr., 940, 941.
Putnam, E. H., 408.
Pyrrhus, King, 850.
Quarles, Thomas A., 87, 176, 177.
Quartermaster-General's Office, C. S. A.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 251, 265.
Bragg, B., 294, 304.
Maynard, J. C., 94.
War Department, C. S., 94, 251.
Quartermaster-General's Office, U. S. A.
Correspondence:
Grover, C., 683.
Hoffman, W., 192.
War Department, U. S., 683.
Wessells, H. W., 24.
Queen of the West, U. S. S., 316, 317.
Quinn, Morton E., 727, 728.
Radford, William.
Correspondence, H. W. Halleck, 566
Mentioned, 561, 562, 566.
Raines, William Carr, 510.
Raleigh, N. C.
Prisoners from Florence, S. C., 238.
Removal of prisoners, 217, 218, 262, 263, 311.
Ralson, John, 516.
Ramsay, Joseph G.
Correspondence. See *William W. Morris.*
Ramseur, Stephen D., 372.
Ramsey, Lieutenant, 197, 370, 371.
Ramsey, Alexander.
Correspondence, W. Hoffman, 180, 200.
Ramsey, Frank A., 58, 135.
Ramsey, Robert H.
Correspondence. See *George H. Thomas.*
Randolph, George W., 764.
Randolph, John F.
Correspondence:
Baker, J. H., 659.
Dodge, G. M., 377.
Ratliff, W. B., 157.
Rawlins, John A.
Correspondence. See *U. S. Grant.*
Mentioned, 504.
Ray, Corporal, 291.
Ray, A. W., 431.
Raymond, A., 315.
Raymond, Henry J., 347.
R. C. Wood, Steamer, 478.
R. E. Lee, Steamer, 407–409.
Read, William, 632.
Reagan, John H., 558, 559, 561, 562, 568, 572–574, 763, 764, 844.
Reaves, Private, 414.
Recruiting Service.
Confederate within Union lines, 28–30, 34, 35, 57, 58, 87, 103, 182, 198, 222, 223, 383–389, 395, 811.
Enlistment of prisoners of war, 124–126, 201, 358, 359, 554, 691, 692.
Red River (La.) Campaign. Mar. 10–May 22, 1864.
Prisoners of war, 45.
Red River Landing, La.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Reed, Allen V., 566.
Reed, Robert, 291.
Reed, W. Shelby, 789, 791.

Reed, William B., 925, 975.
Reid, James R.
Correspondence, B. F. Tracy, 209.
Revaleon, Mrs., 646.
Revaleon, Charles Fairfax. 640, 646.
Rex, George.
Correspondence:
Allen, R. C., 292.
Baker, J. H., 291.
Dodge, G. M., 376.
Reynolds, John T., 87, 208, 389.
Reynolds, Joseph J.
Correspondence:
Adjutant-General's Office, U. S. A., 539.
Grant, U. S., 521.
Halleck, H. W., 501.
White, C. C., 536.
Mentioned, 536.
Richardson, A. D., 88, 810.
Richardson, George H., 507.
Richardson, Hiram P., 87.
Richardson, John S.
Correspondence:
Forno, H., 437.
Ould, R., 446.
Winder, J. H., 110, 131.
Mentioned, 55, 214, 456.
Removal of prisoners from Columbia, 437, 438.
Richardson, William P.
Correspondence:
Allen, E. K., 106, 205, 380.
Hoffman, W., 206, 229, 322, 360, 363, 366, 381, 383, 466, 513, 637, 653, 671, 694.
Wessells, H. W., 47, 106.
Mentioned, 552.
Richford, Thomas, 329.
Richmond (Va.) Examiner.
Arrest and confinement of editor, 641, 653, 657, 712, 715–717, 720, 725, 728, 736, 739, 740, 744, 746, 754, 761, 763, 767, 769, 775, 782.
Arrests of Union citizens, 236.
Mentioned, 63, 64, 103, 236, 811.
Richmond (Va.) Prisons.
Belle Isle, 337–353.
Castle Godwin, 764, 765.
Castle Thunder, 93, 94, 765, 782, 783.
Funds of prisoners, 457.
Hospitals, 300, 301.
Libby, 342–344, 463, 551, 560, 581, 636, 667, 671, 672, 706, 707, 753, 754, 764, 783, 911, 912, 920, 930, 952, 960, 961, 966.
Supplies from U. S. Government, 71–73.
Richmond (Va.) Times, 917.
Rico's Bluff, Fla.
Prisoners captured, 405, 406, 411, 441, 442, 472.
Ridley, Alonzo, 142, 229.
Riely, John W.
Correspondence. See *Adjutant and Inspector General's Office, C. S. A.*
Rife, Joseph B., 670, 671.
Riley, George W., 120.
Ripley, Roswell S.
Correspondence, A. Schimmelfennig, 100.
Rives, Wright.
Correspondence. See *John A. Dix.*
Mentioned, 282.
Robbins, W. S., 58.
Robert Morris, Steamer, 421.
Roberts, Horatio.
Correspondence, A. Chapel, 18, 37, 81, 105, 190.
Roberts, John, 409.
Roberts, Joseph, 647.
Roberts, Kirk, 516.
Roberts, William H. See *Joseph Snevel.*
Robertson, Charles H.
Correspondence, Jefferson Davis, 201.
Robinson, ——, 197.
Robinson, Lieutenant, 835, 951.
Robinson, George F., 697.
Robinson, John E., 706, 708, 709, 739.
Robinson, L. B.
Arrest of, 639.
Mentioned, 639.
Rock Island, Ill.
Complaints of ill-treatment, 15–18, 37–39.
Conspiracy to release prisoners, 6–11, 523, 525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Discontinuance as prison depot, 714.
Final release of prisoners, 700, 701.
Inspections, 47, 48, 82, 116, 152, 703, 704.
Management, needs, etc., 15–18.
Monthly returns of prisoners, from December, 1863, to July, 1865, 993–1003.
Orders, General, series 1865: **No. 3,** 107.
Prison fund, 152.
Re-enlistment of prisoners in C. S. service, 201, 202.
Shooting of prisoners, 107, 108.
Sick and wounded, 689, 694.
Smallpox, 47, 48.
Rock Island Argus, 16, 17.
Rock Island Argus, Editor of.
Correspondence, A. J. Johnson, 16.
Mentioned, 16.
Roddey, Philip D.
Correspondence:
Beauregard, G. T., 179.
Granger, R. S., 157, 179, 198.
Mentioned, 86, 105, 157, 220, 244, 284, 290, 325, 326, 328, 336.
Negotiations and agreement with R. S. Granger, 105, 157, 179, 180, 198, 199, 220, 244, 284, 290, 336.
Rodgers, William H., 115, 436.
Rogers, William, 226.
Rollins, James, 108.
Rosecrans, William S.
Correspondence, Army Headquarters, 99.
Mentioned, 59, 98, 784.
Ross, Albert H., 876, 891.
Ross, Lawrence S., 65.
Ross, Q. A., 131.
Rosser, Thomas L., 368.
Rousseau, Lovell H.
Correspondence, N. B. Forrest, 31, 73, 109.
Mentioned, 31, 32.
Negotiations with N. B. Forrest, 31, 32, 58, 73, 109, 242, 243.
Rowland, Mr., 325.
Rowzee, J. E., 93.
Roy, William, 717.
Rucker, Edmund W.
Correspondence, W. Hoffman, 331.
Mentioned, 31, 32, 322, 332, 513.

Ruger, Thomas H., 783, 819, 904.
Ruggles, Daniel.
Commissary-General of Prisoners (C.), 427, 428, 433, 447.
Correspondence:
Adjutant and Inspector General's Office, C. S. A., 442, 457, 461, 474, 475, 478.
Forno, H., 463, 476.
Gibbs, G. C., 471, 487.
Imboden, J. D., 535.
Johnson, B. T., 479, 512.
Morfit, C., 512.
Smith, R. C., 437, 475, 480.
Terry, W., 535.
Turner, T. P., 457, 463.
White, I. H., 466.
Winder, R. B., 479.
Winder, W. S., 447, 462, 475, 479.
Mentioned, 427, 433, 442, 443, 447, 458, 463, 466, 471, 473, 475, 479, 480, 535, 734.
Orders, General, series 1865: **No. 1**, 433; **Apr. 26**, 516.
Orders, Special, series 1865: **No. 2**, 470; **Nos. 3, 5**, 473.
Ruggles, M. B., 433.
Ruguley, A. J., 158.
Russell, George, 360.
Russell, James A., 409.
Rutherford, John C.
Correspondence:
Ould, R., 277, 417, 492.
Taylor, R., 417.
Mentioned, 378, 421, 427, 436, 459, 487.
Rutherford, Reuben C.
Correspondence, Subsistence Dept., U. S. A., 152.
Rylander, John E., 783.
Sachem, U. S. S., 316.
Sadler, J., 795.
Saginaw, Steamer, 752.
Saint Louis, Mo.
Complaints of ill-treatment of prisoners, 347, 348.
Expedition from, to receive surrender of M. Jeff. Thompson, Apr. 29–June 11, 1865, 521.
Monthly returns of prisoners, from July, 1862, to August, 1865, 986–1003.
Recommendation for new prison disapproved, 85.
Salisbury, N. C.
Abandonment and reoccupation of prison, 411–413, 449–451, 475, 500.
Arrest, trial, etc., of officials of prison, 782, 783, 819, 881, 882, 956–960.
Attempted escape of prisoners, 158.
Complaints of ill-treatment, 350, 765.
Condition of prisoners, 167, 168, 178, 179, 198, 205, 211, 212, 245–255, 264, 265.
Consolidated return of prisoners:
January, 1865, 255.
February, 1865, 253.
Escapes of prisoners, 449.
Inquiries for dead and missing prisoners, 729, 730.
Inspections, etc., 205, 245–255.
Investigation and report by J. A. Cooper, 633.
Management, needs, etc., 476, 478, 479, 500, 633.
Plan of prison, 252.
Raids upon, 158.
Removal of prisoners, 11, 12, 263, 411–413, 449–454.
Security of prisoners, 212.
Salisbury, N. C.—Continued.
Supplies from U. S. Government, 167, 221.
Temporary prison for prisoners in transit, 413, 414.
Transfer of buildings to Ordnance Department, 403, 411–413, 478, 479.
Transfers of prisoners, 239, 262, 263, 269, 287, 288, 294, 298, 512.
Salter, George W., 119, 120.
Salvador, Steamer.
Mentioned, 674, 678, 679, 681, 751–753.
Trial, etc., of prisoners engaged in plot to seize, 674–681, 750–753, 840, 902, 905.
Sample, John, 797.
Samson, A. C., 315.
Sanders, George N., 517, 530, 549, 552, 659, 696, 852, 856, 859, 878, 899, 977.
Sanders, George N., Mrs., 530.
Sanders, Lewis, 859.
Sanders, William P., 186, 307.
Sanderson, James M., 343, 346.
Sanford, Newell, 115, 116.
Sanitary Commission, U. S.
Mentioned, 337, 338, 341, 343, 346–348, 350.
Narrative, treatment of prisoners, 337.
Saratoga, U. S. S., 146.
Sassard, R. W., 409.
Savannah, Ga.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Sawtelle, Charles G.
Correspondence, E. R. S. Canby, 516.
Mentioned, 20, 78, 518.
Sawyer, Henry W., 29.
Scammon, Eliakim P.
Correspondence:
Adjutant-General's Office, U. S. A., 100.
Gillmore, Q. A., 445, 465.
Jones, S., 284, 436, 445, 470.
Pillow, G. J., 427, 436, 445.
Mentioned, 426, 445, 487.
Scarborough, John O., 414.
Schade, Louis.
Correspondence, Andrew Johnson, 773, 793.
Schellar, George. See *Hiram S. Hanchett.*
Schenck, Robert C.
Correspondence, Army Headquarters, 99.
Mentioned, 98.
Schimmelfennig, Alexander.
Correspondence, R. S. Ripley, 100.
Schoenle, Jennie.
Correspondence, L. Markbreit, 30.
Schoepf, Albin.
Correspondence:
Adjutant-General's Office, U. S. A., 816.
Ahl, G. W., 40, 80, 112, 143.
Hoffman, W., 243, 301, 322, 359, 360, 409, 466, 539, 660.
War Department, U. S., 569, 660.
Wessells, H. W., 114.
Mentioned, 189, 190, 192, 228.
Schofield, John M.
Correspondence:
Abbott, J. C., 358, 373.
Adjutant-General's Office, U. S. A., 373.
Army Headquarters, 99.
Grant, U. S., 289, 317, 420.
Halleck, H. W., 235, 572, 652, 653.

Schofield, John M.—Continued.
Correspondence:
Hardee, W. J., 315, 317.
Hatch, W. H., 296, 297, 317.
Hoke, R. F., 268, 286, 290, 297, 317.
Terry, A. H., 297.
War Department, U. S., 985.
Mentioned, 235, 285–288, 290, 293, 296–299, 304, 310, 373, 464, 534, 662, 838, 849.
Schoonmaker, John M.
Correspondence:
Ordway, A., 667, 671, 706.
Turner, J. W., 668, 672.
Mentioned, 668.
Schrader, Alexander von.
Correspondence, E. Knoble, 164.
Schriver, Edmund.
Correspondence. See *War Department, U. S.*
Schryminger, W. C., 409.
Schultz, Steamer, 239.
Scott, Julian A., 227.
Scott, Obadiah R., 53.
Scovill, Lieutenant, 165.
Scovill, Edward A.
Correspondence, C. W. Hill, 4, 41, 75, 112, 143, 182.
Mentioned, 41, 183.
Scruggs, ——, 197, 273.
Seaton, Mr., 714.
Seawell, William B., 95.
Sebring, William H., 347.
Seddon, James A.
Arrest, confinement, release, etc., 566–568, 570, 576, 577, 583, 674, 723, 724, 815.
Correspondence, W. C. Manning, 723, 761.
See also *War Department, C. S.*
Mentioned, 12, 61, 69, 77, 86, 127, 138, 155, 160, 194, 241, 245, 516, 553, 566 568, 570, 576, 577, 583, 674, 789, 791, 815, 838, 844, 849, 858, 884.
Selma (Ala.) Dispatch, 848.
Semmes, Raphael.
Correspondence:
Grant, U. S., 836.
Woods, C. R., 836.
Mentioned, 333, 334, 751, 842.
Semmes, Richard T., 502, 503, 573, 644, 645, 684, 724.
Semmes, S. M., 645.
Semple, Captain, 54, 55.
Semple, G. William.
Correspondence, T. P. Turner, 239.
Mentioned, 300, 340.
Senn, R. D.
Correspondence, J. H. Winder, 160.
Mentioned, 55.
Sewall, Frederick D.
Correspondence:
Cutler, N., 555.
Hoffman, W., 301.
Mentioned, 555.
Seward, Augustus H., 697.
Seward, Frederick W., 697.
Seward, William H.
Correspondence. See *State Department, U. S.*
Mentioned, 256, 390, 498, 573, 578, 580, 586, 658, 663, 696, 697, 728, 747, 763, 812, 848, 849, 856, 898, 899, 931, 940, 976.
Seymour, Truman.
Correspondence, Adjt. Gen.'s Office, U.S.A., 100.
Mentioned, 731.
Shaler, Alexander.
Correspondence, Adjt. Gen.'s Office, U.S.A., 100.
Shanks, John T., 685–688.
Shannon, Denman W., 142, 229, 402, 430.
Sharp, T. R., 437, 455.
Shea, George, 910, 912, 919, 920, 975.
Sheetz, Josiah A., 717.
Sheffey, J. P., 307.
Shelby, ——, 379.
Shelby, W. B., 131.
Sheldon, George D.
Correspondence, T. T. Eckert, 741, 743.
Mentioned, 743.
Shenandoah, C. S. S., 729, 752.
Shepard, J. A., 142, 229.
Shepperson, Mr., 501.
Sheridan, Philip H.
Correspondence:
Adjutant-General's Office, U. S. A., 760, 820, 845, 870, 897, 900, 902, 905, 909.
Clark, J. B., 761.
Johnson, Andrew, 766.
War Department, U. S., 755, 760, 761, 767, 794, 795, 898.
Mentioned, 34, 201, 266, 313, 350, 364, 372, 379, 429, 652, 720.
Sheridan, Thomas.
Correspondence, E. R. S. Canby, 206.
Sherman, George, 120, 121.
Sherman, Thomas W., 45.
Sherman, William T.
Correspondence:
Adjutant-General's Office, U. S. A., 743.
Halleck, H. W., 100.
Hampton, W., 303.
Johnston, J. E., 490, 842.
Mentioned, 50, 98, 159, 174, 451, 464, 512, 513, 553, 587, 599, 624, 726, 730, 734, 778, 797, 814, 836, 837, 940.
Treatment of foraging parties, 303.
Ship Island, Miss.
Accommodations, 323, 416, 417.
Final release of Confederate prisoners, 549, 551.
Inspections, 36, 145, 323, 416.
Management, needs, etc., 201.
Monthly returns of prisoners, from October, 1864, to June, 1865, 998–1002.
Shipley, Roane & Co., 314.
Shippen, Edward, 464.
Shore, John C., 28.
Shulze, Gerhard C.
Correspondence:
Navy Department, U. S., 214.
Parker, F. A., 214.
Mentioned, 214.
Shurly, E. R. P.
Correspondence, B. J. Sweet, 4[illegible].
Simms, George P., 28, 87, 361.
Simpson, Josiah.
Correspondence:
Hoffman, W., 231, 295, 372.
Palmer, H., 231.
Surgeon-General's Office, U. S. A., 953.
Simpson, Moses, 197.
Sinclair, George T., jr., 53.
Singleton, General, 528.
Sitzer, Samuel, 426.

Sketches.
Officers' quarters, Fort Monroe, Va., 757–759.
Salisbury prison, 252.
Skinner, Lewis C., 115, 284.
Slingluff, C. Bohn.
Correspondence, Andrew Johnson, 774.
Sloan, William J.
Correspondence, Surg. Gen.'s Office, U. S. A., 660.
Mentioned, 691.
Smith, Dr., 687.
Smith, Mr., 328, 425.
Smith, Captain, 87.
Smith, Amos C., 41, 42, 87.
Smith, Andrew J.
Correspondence, E. R. S. Canby, 576, 849.
Smith, Baxter, 131, 353.
Smith, C. T., 230.
Smith, Cornelius, 409.
Smith, D. W., 514.
Smith, E. Kirby.
Correspondence:
Canby, E. R. S., 60, 511.
Sterling, W. H., 531.
Szymanski, I., 483.
Mentioned, 59, 60, 84, 466, 483, 487, 495, 536, 575, 648, 717, 720, 755, 770–772, 812, 828, 829, 870.
Surrender and parole of forces, May 26, 1865, 575, 648, 717, 720, 828, 829.
Smith, Edward W.
Correspondence. See *Alfred H. Terry.*
Smith, Green Clay, 322.
Smith, H. W.
Correspondence. See *Christopher C. Augur.*
Smith, Isaac, U. S. S.
Capture of, Jan. 30, 1863. Prisoners of war, 146, 147, 257.
Mentioned, 146.
Smith, J. E., 409.
Smith, J. Louis.
Correspondence, Adjutant and Inspector General's Office, C. S. A., 449.
Mentioned, 365, 366, 451.
Smith, John E.
Correspondence:
Grant, U. S., 651.
Thomas, G. H., 588.
Smith, John G., 87, 176, 177.
Smith, John H., 108.
Smith, Lemuel, 361.
Smith, Morgan L.
Cartels with Watts and Henderson, Feb. 21 and Mar. 16, 1865, 284, 285, 404, 405, 411, 412, 425, 426, 477.
Correspondence:
Dana, N. J. T., 425.
Henderson, H. A. M., 540.
Mentioned, 284, 285, 404, 515, 519.
Smith, Moses, 959.
Smith, Norman W., 732.
Smith, Robert C.
Correspondence, D. Ruggles, 437, 475, 480.
Mentioned, 33, 476.
Smith, T. Kilby.
Correspondence, E. R. S. Canby, 552.
Smith, William, Hon.
Mentioned, 534, 542.
Order for arrest, 534.
Smith, William (U. S. Navy), 78.
Smythe, Charles, Mrs. See *Mary Knapp.*
Snead, Lieutenant, 449, 450, 455.
Snead, Claiborne, 95.
Snee, Hugh R., 778.
Snevel, Joseph, 921–923, 934–938, 943, 944, 963, 964, 973, 979.
Snow, Horace, 67.
Snowden, W. H., 22, 23.
Sons of Liberty. See *Order of American Knights.*
South, Department of the (U.).
Orders, General, series 1866: **No. 35,** 956.
South Carolina.
Johnson, B. T., to command prisons in, 213.
Political prisoners, 640, 641, 674.
South Carolina, Georgia, and Florida, Dept. of (C.).
Absentees from Confederate army, 421, 422.
South Carolina, Governor of.
Correspondence, D. L. Yulee, 866.
South Carolina, Prisons in (C.).
Orders, Special, series 1865: **No. 32,** 226.
Southwest, Military Division of the (U.).
Orders, Special, series 1865: (**Steele**) **No. 4,** 648.
Southwestern Virginia.
Expedition, Dec. 10–29, 1864.
Prisoners of war, 58, 95, 134, 135, 156, 193, 277–279.
Spangler, Edward, 696–700.
Spanish Fort, Ala. Siege, etc., Mar. 27–Apr. 8, 1865.
Prisoners of war. See *Mobile (Ala.) Campaign.*
Spaulding, Steamer, 408, 409.
Speed, Frederic.
Correspondence. See *Napoleon J. T. Dana.*
Speed, James.
Correspondence. See *Atty. Gen.'s Office, U. S.*
Mentioned, 506, 511, 533, 536, 588, 651, 656–658, 712, 719, 720, 843, 864, 874, 910, 925.
Speed, John M., 542.
Spence, W. A., 97, 340.
Spencer, Ambrose, 888.
Spencer, John M., 93.
Spencer, Theodore C.
Correspondence, C. B. Pratt, 461.
Spencer, William C.
Correspondence. See *Surg. Gen.'s Office, U. S. A.*
Sperry, J. A., 58, 135, 197, 273, 370, 371.
Spies.
Arrests on suspicion, 34, 104.
Exchange, treatment, etc., 301, 306, 394–396.
Trial and punishment, 28–30, 34, 35, 57, 58, 83, 84, 87, 91, 103, 114, 115, 117–122, 129, 130, 132, 133, 181, 182, 191, 198, 204, 216, 217, 222, 223, 261, 262, 279–282, 309, 369, 383–389, 398–400, 414–416, 467, 477, 511, 519, 650, 704, 736, 794, 795, 811, 834, 835, 837, 951.
Sponable, Wells.
Correspondence, B. J. Sweet, 76, 144.
Sprague, Ezra T.
Correspondence, W. Hoffman, 467, 514.
Mentioned, 514.
Springfield, Ill.
Conspiracy to seize arsenal at, 6–11, 523–525, 532, 533, 543–549, 583, 584, 586–588, 637–639, 896, 897.
Srofe, W. J.
Correspondence, E. R. S. Canby, 206.
Mentioned, 206.
Stag, Steamer, 407.

Stanberry, Henry.
Correspondence. See *Attn. Gen.'s Office, U. S.*
Mentioned. 985.
Stancel, Jesse, 60.
Stanford, William J., 95.
Stanhope, Philip W.
Correspondence, J. R. Lewis, 701.
Stanley, David S., 382.
Stanton, Edwin M.
Correspondence. See *War Department, U. S.*
Mentioned, 13–15, 22, 25, 27, 28, 31, 34, 40, 46, 56, 62, 74, 86, 114, 115, 132–134, 140, 142, 146, 148–150, 154, 156, 162, 176, 184, 199, 203, 215, 216, 227–229, 241, 243, 256, 257, 259, 266, 302, 305, 335, 338, 349, 361, 366, 373, 375, 390–392, 400, 406, 407, 409, 413, 418, 426, 436, 444, 445, 469, 474, 476, 477, 489, 490, 492, 493, 496, 507, 513, 519, 523, 526, 538, 539, 542, 548–550, 557, 563, 565, 567, 569–571, 575–577, 580, 582, 585, 586, 633, 634, 638, 639, 642, 647, 652, 653, 656–658, 660, 667, 675, 682, 683, 687, 690–695, 700, 703, 709, 711–713, 718, 719, 723, 725, 736, 739, 742, 743, 747, 750, 755, 760, 763, 764, 767–769, 772, 774, 784, 794, 799, 802, 805–808, 815, 817, 819–821, 833, 834, 837, 841–843, 847, 855, 857, 860, 870, 872–874, 882, 888, 893, 896, 898, 903, 904, 906, 909, 910, 914, 920, 925, 929, 930, 940, 948, 955, 961, 965–968, 970, 974, 975, 977, 985.
Starring, Frederick A., 661.
State Department, C. S.
Correspondence, C. C. Clay, jr., 858.
State Department, U. S.
Correspondence:
Boyce, W. W., 713.
Burke, M., 729.
War Department, U. S., 585, 747.
Orders, series 1865: **Mar. 14,** 390.
Orders, Circulars, series 1865: **May 29,** 578.
State Prisoners. See *Political Prisoners.*
Stearns, Mr., 764.
Steck, F. P., 142, 229.
Steedman, James B.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 815, 820, 870.
Johnson, Andrew, 818.
Thomas, G. H., 171.
War Department, U. S., 714, 716.
Mentioned, 19, 819, 928.
Steel, Colonel. 876, 877.
Steele, Frederick, 15, 59, 85, 141, 176, 177, 397, 466, 508, 648.
Steele, Theophilus, 57, 87, 103, 198, 222, 223, 379, 384.
Steelhammer, Charles.
Correspondence, M. Burke, 3, 40, 75, 111, 142.
Steever, Charles L., 78, 214.
Steever, West.
Correspondence, R. Ould, 208.
Steinacker, Henry von, 977.
Stephens, Alexander H.
Arrest, confinement, etc., 551, 558, 559, 561, 562, 568, 572–574, 576, 577, 712, 718, 719, 763, 764, 844, 845.
Candidacy for Senatorship, 818.
Correspondence, Andrew Johnson, 719, 885.
Mentioned, 211, 551, 558, 559, 562, 568, 572–574, 576, 577, 712, 718, 719, 746, 763, 764, 818, 844.
Treatment of Andersonville prisoners, 746.
Sterling, William H.
Correspondence:
Canby, E. R. S., 494, 506, 536, 558.
Hitchcock, E. A., 491.
Hoffman, W., 540.
Smith, E. K., 531.
Szymanski, I., 483, 489, 495, 497, 521, 561.
Mentioned, 494, 508, 513, 514, 556, 643.
Stevens, Ambrose A.
Correspondence:
Davidson, J. W., 2, 44, 113, 144, 209, 310, 358, 412, 506.
Hoffman, W., 203, 322, 360, 466, 514, 691.
Wessells, H. W., 2, 134, 144.
Mentioned, 284, 548, 587, 588, 705.
Stevens, John, 108.
Stevens, Peter. See *John H. Patten.*
Stevens, T. J., 274.
Stevens, Thaddeus, 916.
Stevenson, Andrew, 679.
Stevenson, John D.
Correspondence, War Department, U. S., 409.
Stevenson, John T., 427.
Stevenson, R. R.
Correspondence:
Forno, H., 213.
Surgeon-General's Office, C. S. A., 625.
Mentioned, 589, 601, 785, 789, 791.
Stevison, J. H.
Correspondence. E. R. S. Canby, 206.
Stewart, Thomas R.
Correspondence, H. Forno, 443.
Mentioned, 446, 455, 535.
Statement, Columbia prison, S. C., 443, 444.
Stewart, William, 777, 778, 780.
Stewart, William M.
Correspondence, Andrew Johnson, 526.
Mentioned, 500.
Stinson, ——, 516.
Stocker, Anthony E., 39.
Stokes, John G.
Correspondence, E. M. Law, 69.
Stoll, George McD., 409.
Stone, Mr., 878.
Stone, Charles P.
Correspondence. See *Nathaniel P. Banks.*
Stone, Roy.
Correspondence, H. W. Wessells, 124.
Stone, Sardine G., 53, 133.
Stoneham, Thomas, 87, 176, 177.
Stoneman, George.
Correspondence:
Breckinridge, J. C., 134.
Lincoln, Abraham, 101.
Trowbridge, L. S., 377.
Wessells, H. W., 104.
Mentioned, 26, 36, 58, 72, 88, 95, 134, 158, 193, 273, 277–279, 370, 518, 534, 543, 731, 765.
Stotesbury, William, 78, 214.
Strange, J. P., 31, 32.
Strawbridge, James D., 71.
Streight, Abel D., 186, 348.
Strickland, William W., 441, 500.
Stuart, James E. B., 410.

Subsistence Department, C. S. A.
Correspondence:
Adjt. and Insp. Gen.'s Office, C. S. A., 138, 161.
War Department, C. S., 11.
Subsistence Department, U. S. A.
Correspondence:
Burbank, A. J., 37.
Hoffman, W., 152, 767.
Rutherford, R. C., 152.
Wessells, H. W., 37.
Sulphur Branch Trestle, Ala.
Action, Sept. 25, 1864. Prisoners of war, 26, 27, 109, 803.
Sultana, Steamer.
Loss of, Apr. 27, 1865, 518, 522, 540.
Mentioned, 518, 540.
Summerlin, Jesse J., 903.
Sumner, George A., 315.
Sumner, Thomas J.
Correspondence:
Bragg, B., 264.
Johnson, B. T., 269.
Mentioned, 276.
Sumter, Camp, Ga. See *Andersonville, Ga.*
Superior, Steamer, 402.
Surgeon-General's Office, C. S. A.
Correspondence:
Ould, R., 95.
Stevenson, R. R., 625.
White, I. H., 589, 625.
Winder, J. H., 19.
Surgeon-General's Office, U. S. A.
Condition of prisoners, 464, 465, 477, 478.
Confinement of Jefferson Davis, 924.
Correspondence:
Adjutant-General's Office, U. S. A., 909, 948.
Barnes, N. S., 729.
Crane, C. H., 953.
Cuyler, J. M., 464, 660.
Edgar, W. F., 660.
Hoffman, W., 181, 464, 684, 691, 693.
Lyman, G. H., 181.
Simpson, J., 953.
Sloan, W. J., 660.
War Department, U. S., 924.
Surgeons.
Condition of Jefferson Davis, 924, 953, 954.
Confederate, detained at Louisville, Ky., 156.
Exchange, treatment, etc., 58, 95, 134, 135, 156, 193, 277-279.
Reciprocal attention to prisoners, 122, 123, 437.
Report, disabled Union prisoners, 97.
Surget, Eustace.
Correspondence. See *Richard Taylor.*
Mentioned, 382.
Surratt, John H., 696-699, 853, 854, 856, 932.
Surratt, Mary E., 696, 698-700, 714, 964.
Surrender of Confederate Forces.
Ala., Miss., and East La. (Taylor), 531, 540-542, 567, 717, 718, 828, 829.
Army of Northern Virginia, 480, 481, 483, 485, 486, 488, 505, 506, 513, 515, 517-520, 543, 651, 770-772, 828, 829.
Army of Tennessee, 490, 513, 836, 837, 842, 770-772, 828, 829.
M. Jeff. Thompson's command, 521, 828, 829.
Surrender of Confederate Forces—Continued.
Miscellaneous, 828, 829.
Trans-Mississippi (Smith), 575, 648, 717, 720, 828, 829.
Sutlers.
Conversion of Confederate into Union currency, 312, 313.
Trade with prisoners of war, 95, 145, 187, 188, 195, 215, 271, 306, 484, 647, 648.
Swain, Edward A., 674, 681, 750, 751, 753, 902.
Swan, John, 58.
Swan, John R., 177.
Swann, Francis H., 78, 214.
Swayne, Noah H., 526.
Swazey, Alexander, 409.
Sweet, Benjamin J.
Correspondence:
Grant, U. S., 649.
Hoffman, W., 210, 219, 220, 322, 360, 401, 466, 514, 694.
Shurly, E. R. P., 44.
Sponable, W., 76, 144.
Wessells, H. W., 116.
Mentioned, 67, 649, 685.
Swift, Henry A., 314, 315.
Symes, George G., 402.
Symons, James V.
Correspondence, B. T. Johnson, 300.
Szymanski, Ignatius.
Correspondence:
Dwight, C. C., 59, 65, 85, 146, 232, 402, 430.
Johnson, J. C., 173.
Louisiana, Governor of, 459.
Smith, E. K., 483.
Sterling, W. H., 483, 489, 495, 497, 521, 561.
Walker, J. G., 328.
Mentioned, 60, 84, 88, 93, 141, 153, 157, 158, 203, 316, 487, 491, 494, 495, 506, 537, 540, 549, 558, 576, 584, 585, 643, 661.
Statement, exchanges, Trans-Mississippi, 531.
Talcott, James, 315.
Tallman, A. L.
Correspondence, J. V. Bomford, 157.
Tayloe, John, 95.
Taylor, Joseph H.
Correspondence. See *Christopher C. Augur.*
Taylor, N. G.
Correspondence, E. A. Hitchcock, 321.
Mentioned, 322.
Taylor, R. S.
Correspondence, E. R. S. Canby, 206.
Taylor, Richard.
Conference with E. R. S. Canby, 514.
Correspondence:
Banks, N. P., 100.
Beauregard, G. T., 180.
Canby, E. R. S., 490, 499, 514, 531.
Cobb, H., 378, 382.
Curell, J. R., 490.
Forrest, N. B., 328.
Franklin, W. B., 100.
Gibson, R. L., 542.
Marshall, Captain, 540.
Maury, D. H., 355, 361, 382
Miles, W. R., 169.
Rutherford, J. C., 417.

Taylor, Richard—Continued.
Correspondence:
Thomas, G. H., 467.
Trezevant, J. H., 169.
Watts, N. G., 378, 382, 437.
Wilson, J. H., 470.
Mentioned, 32, 98, 285, 316, 325–328, 355, 356, 362, 374, 382, 396, 459, 460, 540, 542, 549, 552, 567, 717, 718, 770–772, 812, 828, 829.
Negotiations with E. R. S. Canby, 490, 491.
Surrender of forces under, to E. R. S. Canby, May 4, 1865, 531, 540–542, 567, 718, 828, 829.
Taylor, S. H., 360.
Taylor, Tazewell.
Correspondence, R. Ould, 61.
Taylor, Walter H.
Correspondence. See *Robert E. Lee.*
Teague, Freeman B., 340, 341.
Temple, B.
Correspondence, W. Hoffman, 156.
Tennessee.
Exchange, etc., of prisoners from, 173.
Operations in. See—
Lookout Mountain. Battle, Nov. 24, 1863.
Missionary Ridge. Battle, Nov. 24–25, 1863.
Troops paroled, 828, 829.
Tennessee, Army of (C.).
Absentees from, 421, 422.
Surrender and parole, Apr. 26, 1865, 490, 513, 770–772, 828, 829, 836, 837, 842.
Tennessee Troops (C.).
Infantry—*Regiments:* **10th,** 124, 201, 554.
Terry, Alfred H.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 819, 893, 929, 930, 952.
Halleck, H. W., 668, 672.
Judge-Advocate-General's Office, U. S. A., 834.
Meade, G. G., 745, 911.
Miles, N. A., 657, 782.
Ordway, A., 745.
Schofield, J. M., 297.
Turner, J. W., 668, 672.
War Department, U. S., 716, 782.
Mentioned, 668, 672, 703, 705, 745, 819, 887, 960, 961.
Terry, William.
Assignments, 516.
Correspondence, D. Ruggles, 535.
Mentioned, 516.
Texas.
Troops paroled, 828, 829.
Texas Penitentiary.
Negroes and other prisoners, 659.
Thistle, Steamer, 407.
Thomas, De W. C., 718.
Thomas, George C., 816, 868, 869, 879, 880, 885.
Thomas, George H.
Correspondence:
Adjt. Gen.'s Office, U. S. A., 172, 538, 743, 817.
Andrews, G. L., 540.
Army Headquarters, 100.
Cooper, G. E., 6.
Ewell, R. S., Mrs., 506.
Forrest, N. B., 134, 243, 327.
Goodwin, R. M., 371.
Granger, R. S., 157, 220, 284, 336.
Grant, U. S., 235, 238, 357, 361, 369–372, 425, 448, 536.
Thomas, George H.—Continued.
Correspondence:
Halleck, H. W., 319, 366, 496.
Hoffman, W., 5, 6, 105.
Hood, J. B., 20, 64, 163, 172.
Howard, O. O., 164.
Mason, E. C., 727, 728.
Milroy, R. H., 587.
Parkhurst, J. G., 244, 323, 324, 332, 354, 367, 369–371, 402.
Smith, J. E., 588.
Steedman, J. B., 171.
Taylor, R., 467.
Van Cleve, H. P., 425.
War Department, U. S., 501, 507, 513, 578.
Wheeler, J., 726.
Wilson, J. H., 238, 243, 538.
Mentioned, 6, 106, 164, 172, 198, 244, 291, 324–328, 332, 354, 356, 362, 369, 371, 379, 382, 425, 587, 728, 741–743, 820, 898.
Negotiations and agreement with N. B. Forrest, 238, 242–244, 323–328, 332, 335, 354, 402, 448, 478.
Thomas, Lorenzo.
Correspondence:
Adjutant-General's Office, U. S. A., 153.
Army Headquarters, 99.
See also *Adjutant-General's Office, U. S. A.*
Mentioned, 46, 97, 365, 410, 474, 486, 522, 569, 570, 580, 647, 654, 700, 701, 705, 743, 806, 847, 893, 895, 896, 903, 907, 917, 928, 955, 961, 965, 969.
Thomas, R. B.
Correspondence, H. Wirz, 111.
Mentioned, 471.
Thomas, William H. H., 87, 176, 177.
Thompson, Benjamin W.
Correspondence, Q. A. Gillmore, 639.
Mentioned, 485, 635.
Thompson, Charles, 33.
Thompson, Egbert, 488.
Thompson, J., 230.
Thompson, Jacob, 398, 493, 517, 519, 525, 696, 708, 709, 852–856, 858, 859, 899, 931, 932, 941, 977.
Thompson, M. Jeff.
Mentioned, 521, 771, 772, 811, 828, 829.
Surrender and parole of command, June 11, 1865, 521, 828, 829.
Thompson, W. T., 409.
Thompson, Winfield S., 53, 151.
Thorburn, C. E., 768.
Thornburgh, A.
Correspondence, J. Jones, 625.
Report upon gangrene, 625–632.
Thorp, Jesse, 291.
Thorwegan, Henry, 296.
Tichenor, Isaac T.
Correspondence, U. S. Grant, 69, 166.
Tidd, Elijah, 67.
Tilghman, Benjamin C.
Correspondence:
Hoffman, W., 563, 634.
Jones, S., 474, 485.
Mentioned, 555.
Tillett, Jesse. See *Jesse Thorp.*
Tinsley, Alex., 340.
Titlow, Jerome, 842.
Titlow, Jerome, Mrs., 842.

Toadvine, D. A.
Correspondence, Jefferson Davis, 201.
Tobacco.
Sales of, for benefit of Confederate prisoners, 873, 885–887, 889, 893, 911, 912, 967.
Tod, David.
Correspondence. See *Ohio, Governor of.*
Tolman, David, 67.
Tolson, Private, 93.
Tool, Patrick, 401.
Toombs, Robert, 560, 714, 716.
Toombs, Robert, Mrs., 714.
Torbert, Alfred T. A., 410.
Torpedo, Steamer, 334.
Townes, Steamer, 351.
Townsend, Edward D.
Correspondence. See *Adjt. Gen.'s Office, U. S. A.*
Mentioned, 306, 375, 701, 743, 908, 975.
Townsend, John J., 315.
Townsend, Camp. See *Aubrey Territory, Miss.*
Tracey. See *Clement C. Clay, jr.*
Tracy, B. A., 347.
Tracy, Benjamin F.
Correspondence:
Hoffman, W., 182, 195, 232, 237, 322, 329, 360, 419.
Hunt, L. C., 215.
Jordan, W. P., 3, 39.
Moore, S., 65.
Reid, J. R., 209.
Trotter, F. E., 232.
Wessells, H. W., 4, 23, 24, 39, 52, 76, 90, 105, 137.
Mentioned, 215, 228, 237.
Trade and Intercourse.
Prisoners of war, 303.
Prisons and camps, 54.
Sales of cotton for necessaries of life, 238, 244.
With the enemy, 33, 114, 115, 132, 133, 390.
Trammell, Philip, 87.
Trans-Mississippi Department (C.).
Banks-Taylor negotiations and cartel, 15, 59, 60, 65, 66, 85, 88, 93, 141, 142, 146, 157, 215, 216, 466, 575, 576.
Canby-Smith negotiations and cartel, 15, 59, 60, 84, 85, 88, 93, 146, 156, 157, 215, 216, 466, 575, 576.
Orders, General, series 1865: **No. 32,** 466.
Points of delivery for prisoners from, 235.
Prisoners of war, 173, 215, 216, 228, 229, 531.
Surrender and parole of E. K. Smith's command, May 26, 1865, 575, 648, 717, 720, 828, 829.
Transportation.
Prisoners of war, 13, 182, 192, 231, 232, 239, 276, 277, 293, 294, 297–300, 309–311, 333, 334, 351–353, 363, 366, 367, 383, 421, 437, 449–457, 480, 490, 505, 516, 518, 519, 522, 523, 540–543, 557, 558, 582, 633, 641, 651, 656.
Travers, Robert J., 795.
Travis, Charles. See *Charles T. Daniel.*
Treasury Department, C. S.
Correspondence, War Department, C. S., 138, 139.
Treasury Department, U. S.
Correspondence, War Department, U. S., 768.
Trenholm, George A.
Arrest, etc., 664, 692, 701, 709, 764, 844.
Correspondence, W. C. Manning, 723, 761.
See also *Treasury Department, C. S.*
Mentioned, 365, 664, 701, 709, 763, 764, 844.
Trescott, George F., 409.
Trevilian, Charles B., 95.
Trezevant, James H.
Correspondence:
Hesser, J. T., 168.
Mees, W. R., 169.
Negley, D. D., 168.
Taylor, R., 169.
Mentioned, 169, 170.
Tribble, G. W.
Correspondence, W. Hoffman, 156.
Trimble, Isaac R., 45, 46, 56, 123, 204, 366, 375.
Trippe, J. H.
Correspondence, W. Hoffman, 156.
Tristram Shandy, U. S. S., 583.
Trostle, Emanuel, 426.
Trotter, Frederick E.
Correspondence, B. F. Tracy, 232.
Mentioned, 232.
Trowbridge, Luther S.
Correspondence:
Goodwin, R. M., 369, 371.
Hoffman, W., 307.
Stoneman, G., 377.
Vaughn, J. C., 196, 223, 267, 272.
Mentioned, 267, 335.
Trumbull, Lyman.
Correspondence, C. W. Pavey, 35
Tucker, Judge, 516.
Tucker, Surgeon, 97.
Tucker, Beverly.
Measures for arrest and confinement, 493, 517, 552.
Mentioned, 493, 517, 549, 696, 859, 899, 977.
Tucker, Julius G., 446.
Tucker, William F., 556.
Turner, ——, 779.
Turner, John W.
Correspondence:
Schoonmaker, J. M., 668, 672.
Terry, A. H., 668, 672.
Mentioned, 71, 72, 668, 672.
Turner, Levi C.
Correspondence:
Congress, U. S., 921.
Galloway, S., 257.
Judge-Advocate-General's Office, U. S. A., 962, 973, 978.
Mentioned, 256, 469, 496, 921, 943, 963, 979.
Reports on falsity of witnesses against Davis and others, 921–923, 962–964, 978–980.
Turner, Richard R.
Correspondence, Adjt. Gen.'s Office, U. S. A., 966.
Mentioned, 764, 783, 911, 912, 920, 929, 930, 952, 960, 961.
Parole, 929, 930, 960, 961, 966.
Review of case by Judge-Advocate-General, U. S. A., 783, 912, 920, 961.
Turner, Samuel, 401.
Turner, Thomas P.
Correspondence:
Ould, R., 239.
Ruggles, D., 457, 463.
Semple, G. W., 239.
Mentioned, 64, 71, 73, 342, 343, 479, 706, 707, 764, 805, 912.
Turner, Wesley W., 789, 791

Tuscaloosa, Ala.
Arrests, trials, etc., of prison officials, 782, 783.
Tuscarora, U. S. S., 558.
Twining, William J., 315.
Two Sisters, Schooner, 408.
Tyerly, J. L.
Correspondence, B. T. Johnson, 254.
Tyler, Robert O.
Correspondence, W. Hoffman, 502.
Tyree, Thomas M., 508, 510.
Ullmann, Daniel.
Correspondence, C. C. Dwight, 84, 88, 146, 157.
Underwood, John, 984, 986.
Uniforms.
Paroled Confederate prisoners returning home, 506, 521, 533, 534.
Purchases with proceeds of cotton sales, 227, 241, 257, 289, 314, 315.
Union, issued to Confederate prisoners, 195, 196.
United States Colored Troops.
Infantry—*Regiments:* **24th,** 705; **44th,** 175; **68th,** 177; **106th,** 26, 109, 803; **108th,** 654; **110th, 111th,** 26, 109, 803.
United States Regulars.
Artillery, Light—*Regiments:* **5th,** 782.
United States Veteran Reserve Corps.
Infantry—*Regiments:* **6th,** 4, 653; **19th,** 420.
Upton, Emory, 402.
Vallandigham, Clement L., 532, 677.
Van Allen, A., 942.
Van Benthuysen, J. D., 95.
Van Buren, Daniel T.
Correspondence. See *John A. Dix;* also *Joseph Hooker.*
Vance, Richard, 387.
Vance, Robert B.
Correspondence, H. E. Paine, 189.
Mentioned, 73, 74, 83, 114, 188–190, 195, 228, 235, 241, 258, 321, 359.
Vance, Zebulon B.
Correspondence. See *North Carolina, Gov. of.*
Mentioned, 205, 245, 249, 539, 662.
Van Cleve, Horatio P.
Correspondence, G. H. Thomas, 425.
Van Dyke, T. Nixon, 197, 273.
Vansicle, Edwin A., 925, 975.
Van Vliet, Stewart.
Correspondence, H. E. Paine, 132, 136, 192.
Mentioned, 174.
Van Winkle, P. G.
Correspondence, Abraham Lincoln, 34.
Varnadoe, L. L., 733, 734.
Vaughan, R. B., 414.
Vaughn, James, 273.
Vaughn, John C.
Correspondence:
Echols, J., 389.
Gillem, A. C., 208.
Trowbridge, L. S., 196, 223, 267, 272.
War Department, C. S., 267, 335.
Mentioned, 25, 26, 58, 71, 135, 267, 377, 378.
Vaughn, P. B., 795, 835, 951.
Vaughn, Phelin, jr., 795, 835, 951.
Vicksburg, Miss.
Operations, Jan. 20–July 4, 1863. Paroled prisoners surrendered July 4, 1863, 208, 233, 234.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Victoria, Queen, 679.
Vifquain, Victor, 717.
Vincent, Thomas M.
Correspondence. See *Adjt. Gen.'s Office, U. S. A.*
Virginia.
Arrests, etc., of citizens, 33.
Operations in. See—
Appomattox Court-House. Surrender, Apr. 9, 1865.
Southwestern Virginia. Expedition, Dec. 10–29, 1864.
Supplies for prisoners of war, 91, 92.
Troops paroled, 828, 829.
Virginia, Department of (U.).
Troops paroled, 828, 829.
Virginia, Governor of.
Arrest of messengers from, 542.
Virginia, Legislature of.
Correspondence, R. Ould, 91, 92.
Vixen, Steamer, 184.
Vizetelly, Frank, 768.
Vogdes, Israel.
Correspondence:
Gillmore, Q. A., 658.
Hitchcock, E. A., 642.
Johnson, Andrew, 702.
Jones, S., 505.
Mentioned, 635.
Vowles, D. W., 639, 765, 783.
Waddell, Mr., 936.
Wagner, B. R., 107, 108.
Walbridge, George R., 798.
Walcott, J. B., 315.
Walden, Treadwell, 337.
Waldie, Samuel H., 76.
Waldron, Lieutenant, 233.
Walgenuth & Rolgle, 313.
Walker, James A.
Correspondence, R. E. Lee, 244.
Walker, Jesse W.
Correspondence. See *Alvin P. Hovey.*
Walker, John C., 7, 544.
Walker, John G.
Correspondence, I. Szymanski, 328.
Walker, Noah, & Co., 314.
Walker, Thomas.
Correspondence, J. H. Winder, 13.
Wallace, A. D.
Correspondence, Jefferson Davis, 201.
Wallace, Ellerslie, 337, 346.
Wallace, Lew.
Correspondence:
Adjutant-General's Office, U. S. A., 505, 515.
War Department, U. S., 519.
Mentioned, 511, 773, 785, 792.
Wallace, W. W., 267, 272.
Wallace, Wayne, 223.
Waller, H. M., 437.
Waller, William S., 29, 90.
Walsh, Charles, 502, 503, 644, 684, 685, 688, 724.
Ward, Private, 93.
War Department, C. S.
Correspondence:
Adjutant and Inspector General's Office, C. S. A., 11, 12, 49, 50, 77, 127, 138, 139, 159, 168, 172, 225, 249, 422, 462.
Baker, L. S., 305.

War Department, C. S.—Continued.
Correspondence:
Bayne, T. L., 78, 240.
Beall, W. N. R., 241.
Beauregard, G. T., 210, 217, 224.
Bragg, B., 210, 262, 268, 293, 298, 304, 305.
Brown, H., 93.
Campbell, J. A., 167, 311.
Carrington, I. H., 69, 94.
Charlotte, N. C., Post Quartermaster (C.), 210.
Clopton, D., 69.
Davis, Jefferson, 202, 839.
Doggett, H. S., 68.
Ewell, R. S., 311.
Forno, H., 263, 274, 298.
Gardner, W. M., 311.
Hanly, T. B., 363.
Hoke, R. F., 217, 276.
Holmes, T. H., 211, 217, 244, 263, 268, 298.
Hunter, J. H., 95.
Imboden, J. D., 121.
Johnson, B. T., 158, 269, 298.
Jones, S., 426.
Kean, R. G. H., 204.
Lee, R. E., 217, 286, 293, 297, 298, 303, 304, 309, 431, 443, 446.
Maury, D. H., 68, 73, 204.
North Carolina, Governor of, 85, 167, 198, 205.
Ould, R., 97, 109, 240, 267, 333, 356, 357, 363, 368, 431, 443.
Palmer, J. W., 204, 261, 309.
Pillow, G. J., 421.
Quartermaster-Gen.'s Office, C. S. A., 94, 251.
Subsistence Department, C. S. A., 11.
Treasury Department, C. S., 138, 139.
Vaughn, J. C., 267, 335.
Priority of exchanges in ratio to length of captivity, 443, 447.
Sufferings of Salisbury prisoners, 167, 168, 178, 179, 198, 205, 245–255.
Use of prisoners in removal of torpedoes, 49, 50.
War Department, U. S.
Annual report, Nov. 22, 1865, 811, 812.
Applications for amnesty, etc., political prisoners, 703, 769, 812, 833.
Arrest and confinement of political prisoners, 49, 517, 519, 530, 551, 552, 559, 561, 568, 747, 799.
Correspondence:
Adjutant-General's Office, U. S. A., 46, 89, 98, 113, 690, 819, 903, 907, 911, 915, 961, 985, 986.
Army Headquarters, 99.
Asboth, A., 833.
Attorney-General's Office, U. S., 782, 784, 819, 953.
Barnes, J., 477, 550.
Bostwick, S. W., 256.
Breckinridge, R. J., 555.
Broadhead, Mrs., 690.
Brown, W. L., 735, 796, 799.
Burnett, H. L., 523.
Burnside, A. E., 154, 184.
Butler, B. F., 35, 89, 101–103, 809.
Campbell, J. A., Mrs., 703.
Canby, E. R. S., 320, 578, 648.
Chandler, D. T., 527.
Chandler, L. H., 984.
Clark, H. E., 227.
War Department, U. S.—Continued.
Correspondence:
Congress, U. S., 97, 255, 809, 842, 898, 903, 948.
Cowen, B. S., 256.
Dana, C. A., 563.
Devlin, B., 549, 552.
Dix, J. A., 83, 94, 471, 472, 504, 519, 532, 557, 568, 572, 573, 577, 658, 799, 809.
Doughty, C. H., 493, 517.
Eckert, T. T., 746, 747.
Fessenden, W. P., 517.
Fulton, C. C., 809, 810.
Gibbs, O., 906.
Gillmore, Q. A., 667, 701.
Gilmer, J. H., 960.
Grant, U. S., 46, 98, 99, 128, 167, 170, 182, 188, 226, 368, 382, 383, 556, 558, 560, 561, 649, 673, 682, 689, 703, 719, 809–811.
Halleck, H. W., 99, 113, 234, 239, 282, 529–531, 542, 550, 551, 553, 559–562, 570, 577, 583.
Hamlin, H., 517.
Hitchcock, E. A., 84, 100, 104, 147, 151, 162, 184, 391, 406, 504, 521, 799, 806, 811, 821, 886, 895, 906, 911, 912, 946.
Hoffman, W., 101, 147, 390, 391, 485, 557, 571, 575, 637, 638, 649.
Hovey, A. P., 583, 586, 637.
Johnson, Andrew, 500, 526, 769, 811, 843, 900, 906, 910, 923, 925, 929, 984.
Judge-Advocate-General's Office, U. S. A., 255, 554, 638, 690, 692, 742, 769, 782, 799, 812, 833, 834, 838, 847, 855, 862, 882, 890, 898, 912, 920, 931, 951, 961, 964, 965, 976, 977.
Lincoln, Abraham, 30, 46, 390.
Ludlow, W. H., 809.
McClellan, G. B., 809.
Marsh, R., 256.
Marvin, W., 881.
Meredith, S. A., 809.
Merrick, W. M., 703.
Miles, N. A., 565, 569, 570, 573, 577, 653, 706, 710, 741, 742, 747, 748, 775, 925, 955, 956.
Minnigerode, C., 818, 835.
Morris, W. W., 569.
Murray, R., 798, 799.
Navy Department, U. S., 78, 146, 184, 257, 406, 485, 575, 580.
Ohio, Governor of, 257.
Ord, E. O. C., 527, 566, 568.
Ould, R., 99, 809.
Palmer, J. M., 306, 536.
Peck, J. J., 666, 667.
Portland, Me., Collector of Port at, 517.
Portland, Me., Mayor of, 517.
Portland, Me., U. S. Marshal at, 493.
Prentice, J. A., 896.
Pritchard, B. D., 559.
Quartermaster-General's Office, U. S. A., 683.
Schoepf, A., 569, 660.
Schofield, J. M., 985.
Sheridan, P. H., 755, 760, 761, 767, 794, 795, 898.
State Department, U. S., 585, 747.
Steedman, J. B., 714, 716.
Stevenson, J. D., 409.
Surgeon-General's Office, U. S. A., 924.
Terry, A. H., 716, 782.

War Department, U. S.—Continued.
Correspondence:
Thomas, G. H., 501, 507, 513, 578.
Treasury Department, U. S., 768.
Wallace, L., 519.
Wessells, H. W., 31, 146.
West Virginia, Governor of, 154, 163, 533, 550.
Wilson, J. H., 573.
Wool, J. E., 809.
Counsel for prisoners, 83, 84, 91, 657, 658.
Davis, Jefferson:
Capture, 555.
Confinement and treatment, 559–562, 565, 569–571, 573, 577, 647, 710, 711, 742, 743, 748, 767, 772, 773, 821, 833, 834, 836, 841, 842, 871, 872, 874, 910–913, 925, 926, 945, 955, 956, 961.
Counsel for, 657, 658.
Falsity of witnesses against, 964, 965, 976–978.
Red tape episode, 841.
Resolutions of Congress respecting trial, etc., 843, 844, 898.
Surrendered to civil authorities, 983–986.
Treasure captured with, 768, 769.
Final release of Confederate prisoners, 557, 558, 582, 641.
Instructions respecting political prisoners, 673, 712, 718, 719, 740, 741, 744, 747, 754–760, 761, 763, 767, 775, 834, 841, 842, 871, 872, 874, 888, 910–913, 925, 926.
Investigation of political prisoners, 255–257.
Mortality in prisons, 946–948.
Orders, series 1862: **July 31**, 257; **Sept. 8**, 257.
Orders, series 1864: **Feb. 1**, 256.
Orders, Executive, series 1862: **Nos. 1, 2**, 257.
Request of J. Holt for court of inquiry, 964, 965.
Return of Confederate prisoners to homes within Union lines, 533, 534, 550.
Transmits correspondence relating to:
Exchange, etc., 97–103, 113.
Execution of prisoners, 2d N. C. (Union), 903, 904.
Transportation for released prisoners, 633.
Wardwell, Mr., 764.
Ware, H.
Correspondence. See *Massachusetts, Gov. of.*
Warner, Adoniram J., 11.
Warner, Jackson, 764.
Warren, Fitz-Henry, 279, 414.
Warren, Fort, Mass.
Inspections, 35, 73, 105, 140.
Monthly returns of prisoners, from July, 1862, to September, 1865, 986–1003.
Political prisoners, 558, 559, 561, 562, 568, 572–577, 712, 718, 719.
Transfers of prisoners, 379.
Warwick, Captain, 55.
Washburn, Cadwallader C.
Mentioned, 31, 109.
Negotiations with N. B. Forrest, 31, 32, 58, 73, 109, 242, 243, 478.
Washburn, James.
Correspondence:
Frey, E., 81, 151.
Wessells, H. W., 81, 82, 130.
Mentioned, 104.
Washington, Department of (U.).
Orders, Special, series 1865: **No. 168**, 705.
Troops paroled, 828, 829.
Wassem, Philip, 164.
Waterbury, William, 191.
Waters, A. J., 58.
Waters, John. See *Farnum B. Wright.*
Watson, J. M., 72.
Watson, John W. C., 49, 337, 383.
Watts, John W.
Correspondence, E. R. S. Canby, 206.
Watts, N. G.
Correspondence:
Adams, W., 411.
Dana, N. J. T., 488, 498, 515, 519.
Taylor, R., 378, 382, 437.
Mentioned, 153, 158, 284, 326, 354, 356, 378, 402, 404, 425, 448, 477, 483, 486, 491, 493, 520, 551, 556.
Relief of prisoners at Jackson, Miss., 437.
Smith-Watts-Henderson cartels, Feb. 21 and Mar. 16, 1865, 284, 285, 404, 405, 411, 412, 425, 426, 477.
Watts, Thomas H.
Correspondence. See *Alabama, Governor of.*
Mentioned, 70, 166.
Waverly, Steamer, 67, 82.
Wayne, Henry C.
Correspondence, J. H. Wilson, 508.
Wayne, Noah H., 677.
Webber, Edwin L., 132, 181.
Webster, Daniel, 679.
Weeks, J. H.
Correspondence. See *Frederick D. Sewall.*
Weinschenk, S., 315.
Weisiger, William W.
Correspondence, J. C. Maynard, 94.
Weitzel, Godfrey.
Correspondence, W. Hoffman, 480, 484.
Mentioned, 554.
Weld, Stephen M., jr., 13, 45, 46.
Welles, Gideon.
Correspondence. See *Navy Department, U. S.*
Mentioned, 84, 89, 133, 146, 151, 163, 214, 485, 575, 577, 837.
Wells, F. J., 601.
Wessells, Henry W.
Correspondence:
Adjutant-General's Office, U. S. A., 100.
Allen, H. A., 133, 151, 163.
Barnes, J., 30, 133.
Buford, N. B., 177.
Burbridge, S. G., 103.
Burke, M., 3, 31, 41, 75, 90, 112, 124, 143.
Butler, B. F., 22, 103.
Canby, E. R. S., 15.
Cross, A. B., 48.
Folk, W. H., 480.
Gibson, A. A., 53.
Granger, R. S., 220.
Halleck, H. W., 74.
Hill, C. W., 4, 41, 42, 76.
Hitchcock, E. A., 35, 70, 78, 79, 90, 95, 115.
Hoffman, W., 25, 481, 646, 647.
Holmstedt, E. W., 145.
Johnson, A. J., 15, 37, 38, 48, 82, 152.

Wessells, Henry W.—Continued.
Correspondence:
Jones, S. E., 36, 107.
Lackland, W. R., 201.
Mulford, J. E., 79, 96, 104.
O'Connor, P. E., 52, 76.
Paine, H. E., 120, 151, 154, 171.
Pilsbury, A., 132.
Quartermaster-General's Office, U. S. A., 24.
Richardson, W. P., 47, 106.
Schoepf, A., 114.
Stevens, A. A., 2, 134, 144.
Stone, R., 124.
Stoneman, G., 104.
Subsistence Department, U. S. A., 37.
Sweet, B. J., 116.
Tracy, B. F., 4, 23, 24, 39, 52, 76, 90, 105, 137.
War Department, U. S., 31, 146.
Washburn, J., 81, 82, 130.
Mentioned, 2, 5, 23, 24, 30, 36, 37, 48, 52, 63, 66, 80, 82, 96, 97, 104, 114, 116, 132, 134, 137, 144, 152, 156, 157, 162, 174, 177, 197, 229, 230, 571, 660, 821.
Orders, General, series 1865: **No. 1**, 62, 152.
Orders, Special, series 1864: **No. 49**, 15.
Orders, Special, series 1865: **No. 2**, 22; **No. 12**, 80; **No. 17**, 104.
Relieved from duty as Commissary-General of Prisoners, 156.
West, Benjamin F., 421.
West, Thomas R., 421.
West, William.
Correspondence, W. Hoffman, 375.
Westcott, James D., 859.
West Florida and South Alabama, District of (U.).
Orders, Special, series 1864: **No. 61**, 240.
West Mississippi, Military Division of (U.).
Exchange, etc., of prisoners, 45, 316, 319, 365, 460, 575, 576.
Orders, General, series 1864: **No. 48**, 100.
Orders, General, series 1865: **No. 5**, 45; **No. 25**, 319; **No. 38**, 470; **No. 55**, 567.
Troops paroled, 828, 829.
Westondorff, C. W., 409.
West's Building Hospital, Baltimore, Md.
Inspections, 18, 37, 81, 105, 190.
Separate rations for rebel prisoners, 295, 296, 372.
Sick and wounded en route to City Point, 231, 232.
West Virginia.
Return of Confederate prisoners to homes in, 533, 534, 550.
West Virginia, District of (U.).
Orders, General, series 1865: **No. 3**, 715.
West Virginia, Governor of.
Correspondence, War Department, U. S., 154, 163, 533, 550.
Weyde, H. V., 233.
Wharton, T. J., 763, 766.
Wheeler, Joseph.
Assaulted while on parole, 726–729.
Correspondence:
Kilpatrick, J., 293.
Thomas, G. H., 726.
Mentioned, 558, 559, 562, 569, 726–728.
Wheeler, William W., 957, 960.
Wheeling, W. Va.
Military prison. See *Atheneum Prison.*
Wheelock, Judge, 646.
Wherret, Daniel H., 87.
Wherry, William M.
Correspondence. See *John M. Schofield.*
Whipple, William D.
Correspondence. See *George H. Thomas.*
White, C. C.
Correspondence, J. J. Reynolds, 536.
White, Frank, 360.
White, George H., 485.
White, Isaiah H.
Assignments, 12, 19, 433.
Correspondence:
Bemiss, S. M., 625.
Bowie, W., 625.
Chandler, D. T., 625.
Hammond, W. M., 625.
Ruggles, D., 466.
Surgeon-General's Office, C. S. A., 589, 625.
Winder, J. H., 625.
Wright, M. J., 625.
Mentioned, 12, 19, 417, 433, 449, 589, 600, 639, 785, 789, 791.
White, John, 69.
White, Joseph, 197.
White, Patrick H.
Correspondence, E. R. S. Canby, 206.
Whitehead, J. Dudley, 95.
Whitfield, John F., 95.
Whitfield, R. H., 121, 795.
Whiting, William H. C., 375.
Whitney, E. G., 409.
Whitney, T. A.
Correspondence, W. P. Miles, 194.
Mentioned, 194.
Whittson, Mr., 313.
Wiegel, W. H.
Correspondence, E. B. Parsons, 201.
Wiggins, Samuel A., 164.
Wilcox, John C., 360.
Wilcox, Timothy E.
Correspondence, H. S. Burton, 972, 978.
Wilkes, Francis C.
Correspondence, W. Hoffman, 215.
Wilkes, Henry, 78.
Wilkins, Gouverneur Morris, 337.
Wilkinson, John, 412.
Wilkinson, Nathan.
Correspondence, W. Owens, 636.
Willard, Lewis H., 485.
Willey, Waitman T.
Correspondence, N. Goff, jr., 34.
William Allison, Steamer, 239, 333, 334, 351.
Williams, Commissioner, 54.
Williams, A. A., 87, 308, 396.
Williams, Alice, 936.
Williams, George A.
Correspondence:
Adjutant-General's Office, U. S. A., 483.
Grant, U. S., 489.
Hoffman, W., 492.
Mentioned, 425, 426, 477, 484, 486, 491, 492, 519, 522, 537.
Williams, James H.
Correspondence, B. Bragg, 276.
Williams, R. A., 193.
Williams, Robert.
Correspondence. See *Adjt. Gen.'s Office, U. S. A.*

Williams, Samuel, 409.
Wilmington, N. C.
Condition of prisoners, 464, 465.
Cordiality of citizens toward Union prisoners, 264, 270.
Objections to, as prison depot, 217, 218, 226.
Prisoners delivered, etc. See *Exchange, Delivery, etc., of Prisoners.*
Wilmington (Del.) Journal, 309.
Wilson, Lieutenant (C.), 766, 783, 795.
Wilson, Lieutenant (U.), 500.
Wilson, Clay. See *John B. Castleman.*
Wilson, James F.
Correspondence. See *Congress, U. S.*
Mentioned, 942, 943, 963.
Wilson, James H.
Correspondence:
Adjutant-General's Office, U. S. A., 557.
Cobb, H., 508.
McCook, E. M., 553.
Taylor, R., 470.
Thomas, G. H., 238, 243, 538.
War Department, U. S., 573.
Wayne, H. C., 508.
Wirz, H., 537.
Mentioned, 238, 325, 354, 402, 478, 492, 518, 543, 552, 553, 682, 776, 794, 812.
Wilson, John, 409, 440.
Wilson, John, jr.
Correspondence, B. T. Johnson, 254.
Mentioned, 248, 250, 264.
Wilson, Mark G., 441.
Wilson, Robert P.
Correspondence, M. Burke, 762.
Wilson, Samuel, 125.
Wilson, William C., 409.
Wilson's Raid. Mar. 22–Apr. 24, 1865.
Prisoners of war, 508.
Winchester, G. W., 131.
Winder, John H.
Correspondence:
Adjutant and Inspector General's Office, C. S. A., 12, 49, 83, 86, 96, 126, 127, 135, 138, 159, 161, 168, 181, 184, 198.
Beauregard, G. T., 49, 191.
Forno, H., 137.
Gardner, W. M., 33.
Gibbs, G. C., 54.
Griswold, E., 54, 110.
Henderson, H. A. M., 172.
Iverson, J. F., 160.
Jones, C. M., Mrs., 111.
Jones, J., 589.
Morfit, C., 54, 172.
Ould, R., 194, 805.
Richardson, J. S., 110, 131.
Senn, R. D., 160.
Surgeon-General's Office, C. S. A., 19.
Walker, T., 13.
White, I. H., 625.
Winder, W. S., 191.
Wirz, H., 589.
Witherspoon, J. D., 159.
Death of, 198.
Mentioned, 5, 11, 12, 54, 110, 138, 139, 159, 160, 172, 178, 198, 211, 247, 250, 255, 312, 443, 449, 451, 455, 534, 537, 589, 731, 735, 754, 765, 766, 773, 779, 785, 789, 791, 796, 805, 815, 816, 851, 852, 883, 884.
Winder, John H.—Continued.
Orders, General, series 1865: **No. 1,** 5; **No. 3,** 195.
Orders, Special, series 1865: **No. 1,** 12.
Reports Union prisoners suffering for lack of clothing, 135.
Winder, Richard B.
Applications and arguments on behalf of, 796–798, 814, 815, 817.
Assignments, 12, 417, 433.
Correspondence:
Garrison, G. T., 534, 817.
Miles, N. A., 730.
Ruggles, D., 479.
Grant, U. S., recommends release on parole, 815.
Implication by Wirz trial, 736, 746.
Measures for trial, 887, 888.
Mentioned, 12, 417, 433, 461, 735, 736, 744–746, 783, 785, 789, 791, 796–799, 815, 819, 834, 887, 888.
Property taken from prisoners, 534, 535.
Reviews of case by Judge-Advocate-General, U. S. A., 782, 783, 799, 834, 887, 888.
Statement of connection with Andersonville prison, 534, 535, 730–736, 744.
Trial ordered, 819, 820, 834.
Winder, W. S.
Assignments, 433, 462, 516.
Correspondence:
Ruggles, D., 447, 462, 475, 479.
Winder, J. H., 191.
See also *John H. Winder;* also *Daniel Ruggles.*
Mentioned, 433, 475, 516, 589, 731, 785, 789, 791, 884.
Winslow, John A., 266.
Winston, John H., 87, 370, 439, 571, 784.
Winston, Samuel L., 370, 784.
Winthrop, William.
Correspondence. See *Judge-Advocate-General's Office, U. S. A.*
Wirz, Henry.
Appeal to J. H. Wilson for protection, 537, 538.
Application for clemency, 773, 774, 792, 793.
Arrest and confinement, 557, 586, 636, 639.
Correspondence:
Imboden, J. D., 312.
Thomas, R. B., 111.
Wilson, J. H., 537.
Winder, J. H., 589.
Mentioned, 535, 538, 552, 553, 557, 586, 588, 639, 731, 733, 735, 736, 744, 746, 753, 773–781, 783, 785, 794, 796, 799, 840.
Review of case by Judge-Advocate-General, U. S. A., 775–781.
Trial and execution, 773, 774, 783–794.
Wisconsin Troops.
Infantry—*Regiments:* **9th,** 319; **23d,** 643; **30th,** 107; **44th,** 367, 402.
Wiswell, Moses N., 645.
Withers, John.
Correspondence. See *Adjutant and Inspector General's Office, C. S. A.*
Withers, Jones M., 87.
Witherspoon, J. D.
Correspondence, J. H. Winder, 159.
Wood, B. C., 274.
Wood, R. C., Steamer, 478.
Wood, Robert C.
Correspondence, T. F. Azpell, 477.

Wood, Fort, N. Y.
Monthly returns of prisoners, from October, 1863, to December, 1864, 992-999.
Woodford, Stewart L.
Correspondence, J. G. Foster, 101.
Woodhouse, Private, 93.
Woodman, William H.
Correspondence:
Allen, H. A., 73, 105, 140.
Gibson, A. A., 35.
Mentioned, 574.
Woods, Charles R.
Correspondence, R. Semmes, 836.
Mentioned, 164, 836, 928.
Woodson, Harrison, 693.
Woodward, Samuel L., 126.
Wool, John E.
Correspondence, War Department, U. S., 809.
Woolley, John, 715.
Wootton, Edward, 394.
Wright, Farnum B.
Correspondence, Judge-Advocate-General's Office, U. S. A., 937.
Mentioned, 815, 851, 884, 890, 921-923, 936-938, 942-944, 963, 964.
Wright, Horatio G.
Correspondence, Army Headquarters, 99.
Wright, J. M., 142, 229.
Wright, James H., 733.
Wright, Marcus J.
Correspondence, I. H. White, 625.
Wright, P. C., 524.
Wright, William S., 370, 691.
Writ of Habeas Corpus.
Clay, C. C., jr., 577, 578.
Writ of Habeas Corpus—Continued.
Cole, C. H., 878, 881.
Davis, Jefferson, 577, 578, 983-986.
Indiana conspirators, 532, 533.
Wyman, Henry J.
Correspondence, E. R. S. Canby, 206.
Yagel, David T., 7, 544.
Yerby, John H., 87, 176, 177.
York, Zebulon, 178, 254.
Yorke, P. Jones, 554.
Young, Bennett H., 858.
Young, George.
Accusations against, 696-698.
Mentioned, 696, 868.
Young, John S., 399.
Young, Pierce M. B.
Correspondence, Q. A. Gillmore, 374.
Young, Van E., 718.
Young, William H., 561.
Yulee, David L.
Accusations and charges against, 833, 844, 848, 855, 862-867.
Application for amnesty, 668-671, 702, 703, 769, 812, 833.
Arrest, confinement, etc., 647, 658, 674, 703, 723, 724, 893, 895.
Correspondence:
Finegan, J., 866.
Johnson, Andrew, 668, 702, 864.
Manning, W. C., 723, 761.
South Carolina, Governor of, 866.
Mentioned, 647, 658, 670, 671, 674, 702, 703, 769, 812, 833, 844, 848, 855, 862-867, 893, 895.
Review of case by Judge-Advocate-General, U. S. A., 812, 847, 848, 862-867.

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